

LETTERS

FROM PARIS,

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TO THE

CITIZENS OF THE UNITED STATES

OF

AMERICA,

ON

THE SYSTEM OF POLICY HITHERTO PURSUED
BY THEIR GOVERNMENT

RELATIVE TO

THEIR COMMERCIAL INTERCOURSE WITH ENGLAND
AND FRANCE, &c.

By JOEL BARLOW.

London,

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1800.

LETTERS

FROM PARIS

OF THE UNITED STATES

AMERICA

THEY ARE AT THE MUSEUM OF THE UNITED STATES

BY THE GOVERNMENT



THE GOVERNMENT OF THE UNITED STATES

AND FRANCE

BY JOHN TAYLOR

London

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1853

THE GOVERNMENT OF THE UNITED STATES

1853

JOEL BARLOW
TO
HIS FELLOW-CITIZENS
OF THE UNITED STATES OF AMERICA.

LETTER I.

*On the System of Policy hitherto pursued
by their Government.*

PARIS, 4th March, 1799.

FELLOW-CITIZENS,

SINCE your commercial intercourse with this country has been suspended, and the produce of your labour arrives at market by a double voyage, as it used to do when we were British colonies, I rarely see an American newspaper. It was only yesterday, that a writing, said to be a Letter from me to a member of Congress, dated in March 1798, came into my hands. I have it in a Boston paper, called the *Centinel*; and, by some observations of the Editor, I perceive that the authorship, a circum-

stance very trifling in itself, has occasioned doubts and disputes. The general tradition that it is mine, has been questioned by some persons, who express a tenderness for my reputation; for which I will certainly thank them, whenever they will convince me of the morality of their motives. Both opinions in this case are partly right, and both partly wrong. *Truth lies between*, as it often does in questions of more consequence than the present.

I did write a Letter to a member of Congress in March 1798, to which the publication in question bears a strong resemblance. Indeed the political cast and general complexion of my Letter are easily recognised in this; but every part of it is mutilated and distorted more or less. There is not a paragraph without some omissions, additions or changes, which in some places give a bitterness to party invective which I did not mean; in others, destroy all meaning, and render me unintelligible; and in others, vulgarise the style, vitiate the grammar, and make the phrases ridiculous.

I know not by what means, nor for what purpose this Letter has been intercepted, metamorphosed and published. I pretend not to say there was any intention of doing an injury to me or to my friends. The hasty manner in which a copy may be supposed to have been taken, if done by stealth, and the number of presses and hands of ignorant editors which it has probably passed through, might perhaps be sufficient to account for the variations, were it not

not that they are uniformly against me, that is, against that calmness of temper, dignity of manner, purity of language, and delicacy of political or personal animadversion, which I wish to preserve. The Letter was written in great haste, addressed to a very particular friend, and confided to a channel of conveyance which I thought uncommonly safe. It may be supposed therefore to have been penned with a carelessness and freedom which would admit of corrections or alterations in favour of method and moderation. And there is reason to suppose that some at least of the alterations it has undergone would have been on that side, had they been the effect of chance, or even of ignorance.

But the substantial character of the Letter, so far as it respects my opinions on the system of policy pursued by our Executive towards France and England, during the period to which it relates, must answer for itself. I see nothing in them to retract or correct. Though I always reserve to myself the right of changing my opinions, as every man who is not omniscient must often have occasion to do; yet on this subject I have not changed them during the last year. It is my belief that it would cost you dearer even now to settle your dispute with France, than it would have done (had your negotiations been properly managed) at the time I wrote that Letter. How much you have unfortunately suffered from the piracies carried on under the French laws since that period, you can doubtless determine better than I; and
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what will be the final expense of the negotiation, those only will be able to decide who shall live to see it.

Thus much for the sentiments originally contained in that Letter. I will now rectify one or two mistakes, which I have observed in the American papers, relative to the circumstances under which it was written.

First: It is supposed by some, who do not reflect on the chronology of dates, that I was knowing to the attempts which had been made here to extort from our commissioners a bribe to individuals, and a promise of a loan to the government. They imagine that I wrote under this impression, and consequently approved the measure. I believe that not the most distant hint of either of these base attempts was known, or whispered (beyond the circle of those persons mentioned in the dispatches) until their publication in Philadelphia; which happened to be on the same day that my Letter was dated in Paris. The printed dispatches arrived here in May; and no man in America could feel a greater indignation than I did, at the piece of villainy therein detailed; though I am far from thinking that a proper use was made of the circumstance, either before or after it was communicated to the American government. I had no knowledge that even a *loan* was asked for, or contemplated to be asked for, on the part of France. It was my opinion that it was the policy of the American government, under circumstances then existing, to *offer* a loan; and a small one would have been sufficient.

cient. One fourth part of the sum you have since lost by plunder would have been acceptable, and might have been loaned consistently with that honour and national independence which I wish to see you maintain. The dispatches of General Pinckney, alluded to in my Letter, were not those of the three commissioners, as supposed by the *Centinel*, but were dated the year before, and were the fruits of his former embassy.

Secondly : Had that Letter been designed for publication, I should not have left it open to criticism in another point more remarkable than the one above noticed. In reviewing the errors of the American government, I there made no mention of those of the French; and it has been concluded, from this omission, that I approved the conduct of the latter;—that I saw nothing wrong in that monstrous system of piracy and plunder exercised towards neutrals;—indeed, I am supposed to have relished all the horrors that have attended this tremendous revolution. God forbid that I should lose my senses to such a degree? I have not only disapproved the innumerable acts of injustice and violence committed under the order of the 2d of March 1797, and the law of the 18th of Jan. 1798, but I have uniformly remonstrated, with as much force as an individual of little influence could do, against that order and that law, and against the general current of resentment which has marked the measures of this government towards that of the United States, ever since the ratification of
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the British treaty. This resentment has appeared to me far greater than the occasion would justify ; and I have not failed to enforce this opinion wherever I thought it could be usefully done. But *Paris* is the place where it is proper to point out for correction the errors of the French government ; and *Philadelphia*, those of the American. My friend was in *Philadelphia*. My Letter was written with the simple hope of doing some immediate good ; not with a design of transmitting history to future ages. Where then would have been the use of swelling it with a list of blunders which might have been discovered on this side of the question ? blunders, or *crimes* if you please, which no man of candour will deny ; but on which his silence ought not to be construed into approbation. You might as well say that I believe in the doctrines of Mahomet, because I do not go out of my way to refute them.

We are so constituted, and circumscribed in our powers of action, that most of the good or ill which we do in the world is the result of circumstances not always in our power to control. Whoever will give himself the trouble of obtaining a competent knowledge of the French revolution, so as to be able to judge it with intelligence, and weigh the infinite complication of difficulties and incentives to ungovernable passions that have lain in the way of its leaders, must indeed be shocked at their follies and their faults ; but he will find more occasion

caſion to aſk why they have committed ſo few, than why they have committed ſo many. A ſtate of political insanity is not at all inconſiſtent with the ſituation in which they have been placed, by the irrefiſtible force of circumſtances. And there are caſes in which we ought to applaud men for the miſchiefs they have not done, as well as to ſearch excuſes for thoſe they have brought about.

I am ſenſible that, in your view, the wrongs committed by the French towards the United States are leſs excuſable than thoſe towards other nations. You form this opinion, not ſo much from national prejudice, as from a conſciouſneſs of the purity of your own intentions in your conduct towards this Republic; from having felt a general frienſhip to her cauſe, and not perceiving a ſufficient ground of complaint on which her reſentment can be founded. But you are not to learn that jealousy is one of the ſtrongeſt and blindeſt of the human paſſions; and I believe you will be convinced that the facts hinted at in my Letter, viewed through the miſt of jealousy that had conſtantly ſurrounded the leaders in the revolution, could not fail of producing effects ſimilar to what we now deplore.

No! my fellow-citizens: I have too high a ſenſe of juſtice and the rights of nations, to ſanction maritime plunder from any quarter, or even to approve the leaſt reſtriction on trade. A perfect liberty of commerce is among the moſt indubitable rights of man; and it is the

best policy of nations. The establishment of this principle alone, with proper measures to preserve it, would have a powerful tendency, if not an infallible effect, to maintain a perpetual peace between countries separated by the ocean. The opposers of this branch of liberty, who do it from reflection, are not only the enemies of America, but they are the abettors of injustice, and the foes of humanity. They strive to perpetuate a system of war, of public devastation, private rapine, fraud and cruelty, which disturb the tranquillity of states, discourage honest industry, and blacken the character of man. Those who oppose it through ignorance, and at the same time aspire to the task of administering the government of a free people, ought to be sent back to school, and there taught the rudiments of the science which solicits their ambition.

Possessing these opinions, and seeing America move nearer to this principle than any other nation, how is it possible that I could approve the blind policy of European plunder, or look with indifference on the tyranny of the seas? From the time when your first vessel was taken by the English at the beginning of the present war, I expected to see some of your great men in power come forward with something luminous on the right of nations relative to trade. From the reputed wisdom of America I expected to see Europe at last enlightened on a subject of so much importance to the human race. In addition to the freedom of your constitution

stitution, I considered you as possessing two singular advantages for the attainment of this great object. 1st, Nature had placed a wide ocean between you and those nations to which your commercial intercourse extended. And you had not, or ought not to have, any other political intercourse abroad, but what relates to commerce. 2d, From the nature of your trade, and the constant result of your accounts current, you are always indebted to those nations in sums amounting from 15 to 30 millions of dollars. This state of your accounts was not confined to England. It extended (before the present war) to those other countries whose manufactures you were in the habit of importing; and to France and Holland in as high a proportion, compared with their manufactures imported, as to England.

The first of these advantages, being a sufficient bulwark against attacks by land, secured you from the political squabbles of Europe; leaving you vulnerable only in your commerce. The second furnished you, in your commerce itself, with a most powerful weapon of defence. The English began to plunder you in the year 1793, in a manner totally unprovoked, and without even a pretext. Here was an occasion which called for the talents of your leaders, and invited them to use with dexterity this weapon, which was the most legitimate, the most pacific, and the most effectual that was ever put into the hands of any government. But instead of this, an embassy is dispatched to London, to

reign this precious weapon, the only infallible one you had, into the hands of the British king; and this for no other reason than for fear that a future Congress and another Executive might use it. Your situation, though new to you, was not difficult nor delicate; it required a declaration of neutrality, a solemn declaration and definition of the rights of neutrality, and a notification of your intention that all property taken unjustly from your citizens by any power at war should be compensated by so much property of the subjects of that power found within your jurisdiction, whether in the public funds or in the hands of private debtors. There is nothing unjust or immoral in this mode of proceeding. The aggression would be on the part of the foreign power; you compensate your own citizen, and leave that power to compensate hers; and if she does not do it, the injustice is on her side, both as first aggressor and final delinquent. If she makes the compensation, she will not be likely to repeat the offence, because it would be an expensive business; if she refuses compensation, she will soon be brought to reason by the clamours of her suffering subjects. England, in such cases, would not fail to do you justice; and that on the only principle you can count upon with certainty from any foreign nation, an attention to her own interest.

Let it not be said that such a system of policy would prevent our merchants from obtaining sufficient credits abroad for all the useful purposes

purposes of commerce. Or if any person is really of that opinion, I desire him to visit Manchester and Birmingham, and see whether he can pass through those towns without being struck with the wonderful facility of obtaining credit; and without being besieged for orders by rival houses on almost any terms. Let him then travel in Germany, or in any part of Europe, and observe the quantity of riders for English manufacturing houses, who are hawking their samples of goods, and offers of credit, in every corner of the continent.

I am sensible that I might strengthen this part of my argument, in the minds of some readers, by adopting a prevailing opinion, that the facility of obtaining private credits abroad is of no service to our country. But I do not partake this opinion. I believe that such credits are of service, and that the English trade in particular is highly beneficial to the United States, in an agricultural and economical point of view; but more especially as furnishing a ready instrument in the hands of American debtors, to be held up by our government in terror to one of the most quarrelsome states of Europe.

But it is said to be *dishonourable* to resort to the sequestration of private property as a compensation for public wrongs. Alas, when are we, poor children of feudality, to obtain proper ideas of honour, or of any other of the moral sentiments! What can be more honourable in a government than to prevent the occasion
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of wars, protect the works of peace, encourage honest industry, and induce foreign powers to hold a steady check on the licentiousness of private violence, sea robbery, murders, and other cruelties, which attend the consciousness of maritime superiority in some of the nations of Europe? Such being the object, and this object being at least an honourable one, let us examine the means here proposed, and compare them with those which are commonly resorted to; for which we find plenty of precedents, and therefore have not been told that they are dishonourable. After spoliations have been committed on the property of individuals, and you have made sufficient and ineffectual remonstrances to the government of the offending party, I suppose none will deny that it would be honourable to fit out armed vessels, and make reprisals on the property of the nation that has committed the violence. But what is this but sequestering private property? The only difference in the two cases is that the latter is attended with great expence to yourselves, leads to battles, homicides, cruelties, and a surplusage of plunder, which generally bring on a war; whereas the former is a calm unexpensive proceeding, which gives you your compensation by weight and measure, excites no ill blood, and can never, of itself, become a pretext for a continuance of hostile measures on either side. Take another comparison: it is not uncommon to lay embargoes, and to sequester embargoed property, to compensate for injuries sustained.

sustained. This indeed is attended with less expence, and less bullying and battling, than reprisals made at sea ; and therefore it may be thought not quite so honourable ; but it is allowed. And what is the difference between this mode and the one of sequestering debts ? In both cases the property is *bona fide* brought to your country and entrusted to your care, with a full understanding that you will perform the part of faithful agents, pay for what you buy, and restore the rest to its owners. Why, I will tell you what is the difference : in the case of embargo, the ships at least are subjected to great and useless damage ; the crews are left in idleness and vice ; the vessels rot ; and the cargoes are exposed either to perish, or to be sold at a forced sale ; and it will often happen that at least three quarters of the value of the property detained is clearly lost to all parties : while in the seizure of debts, there is no loss, and no extraordinary expence.

But there is another objection which I must undertake to answer. It is said that to sequester the property of a foreigner in the public funds, would injure the *credit* of the United States. I comprehend the argument perfectly well : it means their *borrowing credit*. As to their credit for moral honesty, political economy, national dignity, good sense, and that steady pursuit of pacific principles which inspires respect and confidence abroad, and the love and veneration of their own citizens—this sort of credit would be greatly benefited by such a system, if it were solemnly declared as a principle of neutrality,

trality, and impartially executed whenever occasion should require. But a *credit* in the mercantile sense of the word, or a facility of making loans, deserves a farther consideration. It is, in my opinion, an instrument too dangerous to be trusted in the hands, I will not say of an executive government, but even a legislative body. I have examined pretty fully, in a former publication*, the advantages and disadvantages of such a credit in the policy of a free republic, generally, without applying it to my own country in particular. The disadvantages are terrible beyond description; and I will only add here, that I wish to see no such credit habitually in the government of the United States. I acknowledge that there are cases in which it might be highly beneficial; and so there are cases where an unlimited arbitrary power might be advantageously concentrated for a moment in one man. But no prospect of such a case, though possible, has been or ought to be thought sufficient to induce you to provide for it in your constitution. If you had been convinced, therefore, that the power you have delegated to Congress of borrowing money on the credit of the United States, was as dangerous as it would be to delegate the power of creating a dictator, you doubtless would not have inserted such a clause in your constitution, without some modification or restriction, which would not have been difficult to apply to so tremendous an instrument of innovation and abuse.

* *Advice to the Privileged Orders*, chap. 5, where the funding system is discussed.

abuse. Though great mischiefs have already been done by the exercise of this power, thus indiscreetly trusted out of your hands, yet it is not impossible to arrest the evil where it is; and in my opinion you ought to attempt it without farther delay. Otherwise it will inevitably go on increasing to a degree which no man will pretend to calculate, and no friend to his country can think of but with horror. Annex to your constitution an amendment to this effect: *That in future no assumption or obligation for the payment of money shall be made or authorised, by the Congress, the Executive, or any other officer of the United States, so as to be binding on the people thereof, except in case of actual invasion; and then for the sole purpose of immediate defence against such invasion.*

Experience has certainly taught us by this time, what theory unhappily did not, that a few detached citizens, however wise and virtuous in other respects, cannot be safely trusted with the fates of nations, and the happiness of future ages, in a business attended with so many temptations, as that of thrusting the hand into the long and open purse of posterity. The giddiness of power, the violence of passion, the multiform solicitations of artful speculators, will almost necessarily drive them headlong to sell our future earnings, and entail slavery on mankind; when it can be done by the simple act of voting; and when the responsibility is not to us who sent them, but to generations not yet in being.

Look back through ten years of your history, and examine, if you can with patience, the rise, progress, and present state of your national debt. See with what wanton prodigality it has been hunted up from every corner, and in every shape assumed, funded, and saddled upon you. You were told ten years ago, and with such effrontery as appeared to gain your belief, that if you would have the goodness to fund the proposed debt, with all its accumulations, it would be very easily lessened and very soon extinguished; that the rate of interest in America would soon fall from six to five, and then to four per cent; and you were flattered with the idea that you would speedily be able to make new loans at these latter rates, to purchase in the old capital; and by that means so diminish the annual call for money, as to be able by a surplussage of revenue to sink the whole debt in a short time. You have now had ten years of peace since this arrangement; eight of which were years of such uncalculated prosperity as was never before experienced by any nation, and was astonishing even to yourselves. During this time, how have the prospects held out in your funding scheme been realised? Your debt has been constantly increasing; and your government is now borrowing money, or trying to borrow it, at eight per cent.; and for no other object, as I can discern, but to augment the blessings of a national debt. As to the rate of interest offered, it is a matter of very little importance in my view of the subject. I wish
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the money were not to be found at twenty per cent. ; or rather, I wish the government of the United States, were unable to borrow a dollar at any interest whatever ; and were always to continue so, except in case of war and invasion.

Your funding system, considered as to the circumstances and prospects under which it was adopted, is doubtless one of the most memorable pieces of imbecility and impudence that ever was imposed upon a nation. The scheme when presented to Congress, and the report on public credit that accompanied it, have indeed procured extraordinary honours to their authors in America ; but they would have done no remarkable credit to any clerk employed at seventy-five pounds a year in the fiscal department in London. They contain no ideas that are new, or luminous, or analogous to your situation. All is a dead routine of expedient, familiar to every corrupt government in Europe, whose only object is to find present money by any means whatever. And all the merit there is in the scheme, is the novelty of applying an old and desperate remedy where there was no disease ; or rather of creating a disease, in order to apply it to the remedy. The debt thus accumulated, and still accumulating by the constant solicitude of those who raised it up, has indeed finally assumed the appearance of an incurable disease ; or at least its state has become so alarming as to require your most serious consideration and immediate exertion, to

arrest it, if possible, where it is, and try to get it under.

The actual state of things with you, if not desperate, is at least disquieting to the friends of liberty. When I see the American Executive advertising to borrow money at eight per cent., what do I see but a youthful, free, and flourishing nation advertising itself for sale! I see an infant Hercules, after having strangled the serpents in his cradle, and risen on his feet with an indication of future force destined to free the world from violence, tie himself for life to the apron strings of the same Juno who had brought the serpents to devour him. Your leaders attach you to England, not only by commercial treaties, which ought to humble you in your own eyes, as much as they disgrace you in the eyes of the world, but by seeking precedents in every thing among the worst of her follies; things indeed that scarcely pass for follies in her, since the weakness, or wickedness, consists chiefly in applying them to a country where they do not belong, and for which they never could have been invented. Your physicians have gone to a decrepid, intemperate old man, and borrowed his strong cordials, his bandages, and gouty velvet shoes, to administer them with cruel empiricism to a sturdy plow-boy.

France is at this time unable to obtain a credit, or to borrow money on any terms, even from her own citizens. As a friend to France

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I rejoice at it. She now spends about thirty millions sterling a year; if she could borrow with the same fatal facility as England, she would spend at least sixty millions. What will be her financial situation or policy at the end of the war, I cannot tell. Her debt will doubtless be enormous, and in a very depreciated state. I hope she will have more justice than to follow our example in funding it, in all its undistinguished forms and accumulated size. I would rather see it cut up into paper money, given out to the creditors, and then set afloat, collected and burnt, in the course of three years, by the operation of one specific and adequate tax. I do not pretend that this would be the most just or politic method that could be devised; but I am certain it would be less unjust, and less impolitic, than to increase it ten-fold, by raising it at once from ten per cent. to a hundred, and fixing it on the nation forever at the highest rate of interest known in the country. A middle course may doubtless be found, which would do less injustice than either of these extremes. I think too there was such a middle course to be discovered in America; and I think it would have been discovered, had there been no speculators in Congress, or about the treasury. Whenever your eyes shall cease to be dazzled with men, and you will fix them on measures, you will doubtless adopt the same opinion.

But in answer to what I have suggested relative to the best mode of defence against the in-
sults

sults of Europe, it will be said that you have settled your dispute with England, without resorting to it; and, what is more, you have stipulated that you never will resort to it. Have you ever calculated the real expense, past, present, and to come, of settling that dispute in the manner in which you have done it? It has cost you, 1st, A sacrifice of character, perhaps irretrievable, in the disgrace of having injured your old friend in her distress, aided your most inveterate enemy, and abandoned the strong hold which the nature of things had given you, and in which you always would have been able to defend yourselves against them both, with perfect dignity and independence. You seem to have forgotten that different nations, as well as different animals, have different means of defence, with which nature and circumstances have respectively endowed them. England is defended almost entirely by a maritime force, without deeming it necessary to fortify her towns, or keep on foot any considerable army by land. Austria depends wholly upon her land troops and her fortifications. The Pope, though for many ages the most powerful monarch in Europe, depended on no physical force by land or sea, but altogether on a moral force, or church policy. Now, if either of the latter powers had said to England, lay aside your navy; it is dishonourable to make use of wooden walls and floating batteries: you ought to allow your enemy to land in your country when he pleases, and then trust to your bayonet or
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your prayer-book, for defence,—is it probable that England would have been persuaded by that argument to set fire to her ships? The defence of the United States lay in the peculiar nature of their commerce. You had an invincible bulwark in the debts you were constantly owing and renewing with all the nations that had it in their power to menace your repose. But the first nation that takes it in her head to insult you, comes and tells you that your mode of defence is dishonourable; that you must not use it, but give it up by compact. And, although it was more sure, more peaceable, more natural, and less expensive, than any other that could be imagined, you immediately resign it into her hands.

2d, Your manner of settling that dispute has brought on a rupture with France, which has already cost, in private plunder and public preparation for war, at least 60 millions of dollars. And it is not yet certain how much higher these losses will rise, before the business is terminated.

3d, The most frightful and most incalculable expense, is one which is only yet beginning to begin: it is that terrible scourge of maritime nations, a military navy. I beg you to contemplate for a moment the abyss that your leaders are digging under your feet in the naval system now organising with so much address. You will then listen at your leisure to that swarm of speculators, who live upon your losses, and are now clamouring in favour of this

this system with as much affectation of patriotism, as if your salvation, instead of theirs, depended upon it. I will only observe, that it has been the ruin of every nation that has hitherto adopted it; and that it must be so from its nature. It is the syphon put in suction, which never can stop, or moderate its action, till all that feeds it is exhausted.*

To assist in dragging you into this business, you have been told (I think in one of those oracles delivered to both houses of Congress) that there is no example among mankind of a commercial marine, without a military marine to support it. The fact is not so; and if it were, that is no reason why it should continue to be so. The republics of Ragusa, Hamburgh, Lubeck and Bremen, are among the oldest governments in Europe; and they are in a high degree *navigating states*; that is, they have each of them a large commercial marine, and have had for many ages, without any military marine. Some of my readers will smile when they perceive that I am going to compare any of those little sovereignties with the great and independent republic of the United States. I shall do it only in one point; and there is one point in which the comparison is very striking, and I think applicable to the present subject. None of the neighbouring powers thinks proper

* I purpose, on another occasion, to examine the naval system of Europe; and to show that it has been and must be ruinous, even to those nations which had more plausible reasons for adopting it than we can have.

per to attack the commerce of those sovereignties, because the interest of other neighbouring powers is concerned in its independence. In like manner, the power of St. James's (if our commerce were kept on its natural footing of self-defence) would not think proper to attack it, because the power of Liverpool, Birmingham, Sheffield, Manchester, London, and other commercial towns, which contain our creditors and stockholders, would oppose it for the strongest of all reasons, and with indubitable effect. The power of the Hague would be restrained, for the same reason, by the power of Amsterdam; the power of Paris, by that of Bourdeaux, Nantz, and St. Domingo; and so of the rest. I make no exception in the argument on account of the present deplorable rupture with France, because this rupture never would have happened, if we had not first resigned our armour to England; and because the necessary energies and violent convulsions of the revolution have concentrated for a moment all possible powers within the walls of Paris; so that the voice of the commercial towns, the colonies, and the true interests of the nation, are not heard. But this is a crisis, so far as it respects France, which cannot be repeated; and so far as it respects the provocations on our part, I hope it never will.

Our essential character is that of an agricultural people; and, happily for us, the vast quantities of our vacant lands, which call for culture, and demand a population equal to half

Europe, will preserve us in this condition for ages to come. Our consumption of European manufactures must therefore continue, and even increase. The rate of interest, during this period, will necessarily be higher in America than in Europe. Of consequence, the mass of private debts, habitually due from our merchants to those of the manufacturing nations, will not diminish, but probably increase, at least for many years; perhaps as long as a military marine will be suffered to exist in any country. There could be no fear therefore that this our natural defence would fail us, as long as the present system of European policy should continue; and we might at least furnish an example, if we could not find one, of maintaining a commercial, without a military marine. And I cannot but hope that there are persons now living who will see the day when not a cannon shall be allowed to be carried to sea, at least on the Atlantic, and the European seas.

But the navy system with you is like the funding system. When once the funding scheme was adopted as a principle by your speculating legislators, it was necessary to create a debt to support it. For as the system could not live without the debt; and as they were determined to have the former, they must of course raise up the latter: In like manner, the rage for a navy, which the same politicians have been kindling and puffing for some years, is at last wrought into a system. They have created a new ministerial department, adorned
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with all the pomp of patronage, and ready to contribute its part in the splendor of the Executive, and the growth of the public debt. They have now at least one argument for building a fleet; for what is a marine minister, without a marine? And what is a navy without ships? These two systems, whatever may have been the intentions of their authors, are certainly calculated for the destruction of liberty in the United States. And they will not fail of their effect, unless they are checked in their present career.

No one will deny that a great change is taking place in the state of society in Europe, both as to the interior government of nations, and their exterior and reciprocal intercourse. The rapid progress of thought, set loose from the shackles of precedent, and following the career of revolution that now shakes the political world, must necessarily lead to a new order of things. We all agree likewise, at least all who reflect, that the law of nations is exceedingly vitious and unreasonable in many respects; especially in what concerns the rights of war and peace relative to commerce. It gives too much favour and encouragement to a state of war, and subjects to too many inconveniences and vexations the inhabitants of such countries as choose to remain in peace. It is evident that these unnatural regulations were made for kings, and not for people. They are founded on the principle that a state of war is the chief solicitude of those who govern; and the great object to

be encouraged and secured. This is the origin of those exceptions in the articles of free transportation, which have arisen to an enormous list, called *contraband of war*; it likewise gave rise to the practice of searching neutral vessels for enemy's goods, of subjecting them to extraordinary and unnecessary rules of proof, to establish the property; and many other ingenious vexations; as if we must make apologies for wishing to live in peace, and for being producers, instead of destroyers, of the aliments of human life.

No pacific nation can certainly be satisfied with this state of things; as it evidently prefers violence and rapine to the honest pursuits of industry. Some of the powers of Europe, sensible of these wrongs, have united their efforts with those of the friends of liberty, in attempting, for many years past, to change the law of nations in this respect; to emancipate neutral commerce from the tyranny of contraband, and screen it from the seizures and vexations incident to the prevailing system. America once joined them in these views, and adopted the ameliorations, as far as possible, in her early treaties in Europe, till her government chose to sacrifice them to a more favourite project, and threw them into the general hecatomb of rights and principles, buried in the British treaty.

If these revolutions in Europe should terminate in favour of general interior liberty, which is altogether probable, they must necessarily extend

extend to exterior or commercial liberty. The Law of Nations must undergo a revision; and it must be settled on a general basis of peace and honesty, instead of violence and rapine. It would indeed have been glorious in the United States, who had given the first example to the world of interior and domestic liberty (in which they have now so many imitators), to have been also the first in asserting, defining and maintaining the exterior liberty of trade, and those rules of national intercourse which must finally be resorted to, as the basis of a pacific system. Your geographical situation, as relative to Europe, not only called for such a measure, but would have ensured its success.

But while we regret that so singular an opportunity of doing so much good has been slighted and thrown away, it becomes us to consider how much of the error is still capable of being retrieved, and what will be the proper moment and the best method of attempting it. What are the measures that America ought to take, *to secure her own liberty; establish a permanent and equal independence from every foreign power; command the respect and gain the confidence of all mankind; and induce the commercial nations to adopt a general plan of pacific intercourse, which will perpetuate itself, and better the condition of society?* It is possible that these inquiries may be the subject of another Letter which I may address to you, my fellow-citizens, whose interests I will never cease to cherish. I am your brother by the close and complicated ties
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of blood, of early sympathies, common dangers and common triumphs; and your happiness is naturally and habitually nearer to my heart than that of any other nation; though my general philanthropy leads me to pity the condition of every injured people, and to censure, if I cannot restrain, those who lead them into error.

Some of you have blamed me for the severity of my remarks on the conduct of your Executive. It is because you have made them gods, that you are offended with me for finding them but men. I never doubted the patriotism of your principal leaders; that is, so far as patriotism consists in good intentions. But I doubt the patriotism of those who lead your leaders. I see immense fortunes made by your funding legislators, out of the public funds which they funded for themselves. I see the most perfidious measures proposed, adopted and persisted in, for hurling you from the exalted station which enabled you to give commercial law to the governments of Europe; and for couching you under the pelican wing of one of those governments. I see the treaty that consummates this business, ratified in a gust of passion, a moment of personal resentment at an intercepted letter written by an officious French Minister, which happened to speak of the western insurrection. And when the indignation of France, though excited by repeated provocations, rises with symptoms of extravagant fury, and threatens an unjustifiable measure of revenge, I see no prudent

prudent or manly attempts on your part, to allay the storm and prevent a rupture; but prevarication about facts is given for explanation; and gasconade at home keeps time with humiliation abroad. Then comes the flood of piracy and plunder let loose upon your property; a scene of wickedness which no man can abominate more than myself, and no man has endeavoured more to prevent or mitigate. But when I trace these deplorable effects to their proper and indubitable causes, I cannot confine my animadversion to this side of the Atlantic. Though you may choose to deify your first magistrates, the original authors of these calamities—though you enshrine them in the temple of infallibility, fence them round with sedition laws, and intoxicate them with addresses, birth-day odes, and Bacchanalian toasts,—I see in them some of the frailties of men; and I will not join the chorus of adoration.

With respect to men, I am of no party; with respect to principle, I am a republican in theory and practice; notwithstanding the disgrace into which that principle seems to be falling in America. I consider it as my unalienable right, as well as my indispensable duty, to render a service to you wherever I find occasion. And when such service has led me to notice what I thought wrong in the administration of your government, I have always done it; and in such a manner as I thought would be most likely to lead to a correction of the abuse. And I shall not relinquish this right, nor neglect
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this duty, whoever may be the men, and whatever the party, to whom you may choose to delegate your powers.

Among my endeavours to serve you, as a volunteer in the cause of humanity, there is none which I have had more at heart than that of preventing a war between you and France, and of bringing about a reconciliation on terms honourable and advantageous to each. I have no doubt but that both governments desire it; but whether they do or not, as long as I deem it for the interest of both nations, and there remains any hope of success, I will not slacken my exertions. I do not believe in the modern doctrine of your cabinet, that it is a crime in a private citizen to serve his country; or even to call in question the infallibility of its administration. And I know no man in America who did believe it, as long as he remained a private citizen. I am confident, and you may be in time, that the labours of myself and a few other men, not commissioned for the purpose, have hitherto prevented a war. But how long this will continue to be the case, I cannot pretend to say.

I have been animated in these exertions, not only by the desire of diminishing present evils, and of sparing the blood and treasure of the present generation, but of preventing the cause of liberty from falling into disgrace by the quarrels of the two Republics, and of disappointing the tyrants of the world, who anticipate this sort of triumph to their own cause. Perhaps I deceive

deceive myself; but I cannot yet renounce the belief that the principle of free representative government is so manifestly preferable to the principle of monarchy, that it will soon be adopted and brought into general practice, among the nations of Europe. I believe that if France has not yet reduced to practice the liberty she has vindicated in theory, both civil and commercial, it is owing to a prolongation of revolutionary measures, necessitated by the state of Europe, and not to a forgetfulness of principle. She has not yet taken measures to establish the liberty of the seas, because she has not yet arrived at that state of tranquillity which will enable her to look beyond present exigencies, to plans of permanent improvement. The same apology will not apply to the United States. You have had one period, and a pretty long one, of unexampled prosperity and repose; during which, your government appears to have done little for America but increase her debt, and nothing for Europe but imitate her follies.

I was indeed in hopes that advantage would be taken of the elevated ground on which you stood, to lay the foundation of an edifice that should promise, at least one day, to afford a shelter to the human race. I expected to see you propose a basis for a Law of Nations, to be established in reason, justice, and the principles of peace. And I flattered myself that when France should come to her senses, and rest from her military labours, we might see the two

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greatest Republics on earth, not only enjoying liberty themselves, but recommending it to others, by removing the occasion of wars. But if you really have no talents among you of a higher nature than what is necessary to copy precedents from old monarchies, I pity you, and call upon you to pity me. It is time to despair of the perfectibility of human society, and make up our minds to return to slavery, monarchy, and perpetual war.

JOEL BARLOW.

APPEN-

APPENDIX.

I write but few private letters on political subjects ; but as the one which has given occasion to the foregoing has been made public in such an imperfect form, I am induced to subjoin hereto the copy of another, which possibly might otherwise meet a similar destiny. Not that I apprehend that the person to whom it was addressed would adulterate, or even publish it ; but accident may throw it into other hands.

TO GEORGE WASHINGTON.

Paris, Oct. 2, 1798.

SIR,

ON hearing of your late nomination as Commander in Chief of the American armies, I rejoice at it ; not because I believe the war which this nomination contemplates is yet unavoidable, and that it will furnish an occasion for a farther display of your military talents ; but because it may enable you to exert your influence to a greater effect in preventing the war. By becoming more the centre of information than you could be in your retirement, you will be better able to judge of the dispositions of both governments, and to offer

such counsels to your own as may tend to remove the obstacles that still oppose themselves to a reconciliation.

Were you now President of the United States, I should not address you this letter; because, not knowing my inclination for the tranquillity of retired life, you might think that I was seeking a place, or had some other object in view than the simple one of promoting peace between the two Republics. But I hope, under present circumstances, you will believe my motive to be pure and unmixed; and that the object of my Letter is only to call your attention to the true state of facts.

Perhaps few men, who cannot pretend to have been in the secrets of either government, are in a better situation than myself to judge of the motives of both; to assign the true causes of their unhappy misunderstanding; or to appreciate their present dispositions, pretensions and wishes. I am certain that no one labours more sincerely for the restoration of harmony, on terms honourable to the United States, and advantageous to the cause of liberty.

I will not in this place go over the history of past transactions. It would be of little use. The object is to seize the malady in its present state, and try to arrest its progress. The dispute at this moment may be characterized simply and literally a *misunderstanding*. I cannot persuade myself to give it a harsher name, as it applies to either government. It is clear that neither of them has an interest in going to war with the other; and I am convinced that neither of them has the inclination. That is, I believe, the balance of inclination as well as of interest, on both sides, is in favour of peace.

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But each government, though sensible of this truth with respect to itself, is ignorant of it with respect to the other. Each believes the other determined on war; and ascribes all its conduct to a deep rooted hostility. The least they can do therefore, under these impressions, is to prepare for an event that they both believe inevitable; while they both wish to avoid it.

By what fatality is it that a calamity so dreadful is to be rendered inevitable because it is thought so? Both governments have tongues, and both have ears. Why will they not speak? why will they not listen? The causes that have hitherto prevented them are not difficult to assign. I could easily explain them, as I believe, to the satisfaction of all parties; and without throwing so much blame on either government, as each of them at present ascribes to the other. But I will avoid speaking of any past provocations on either side. The point which I wish to establish in your mind is, that the French Directory is at present sincerely desirous of restoring harmony between this country and the United States, on terms advantageous to both parties. I wish to convince you of this, and through you the American government, because that government, being desirous of the same thing, would not fail to take such steps as would lead immediately to the object.

In offering you my proofs of the present disposition on this side, you will permit me to observe, that some of them are from their nature incapable of being detailed, and others improper to be trusted to the casualties of a Letter. But I will mention a few that are ostensible, and, so far as they go, undeniable. 1st, The Directory has declared, that it will receive and treat with any minister from America, who shall appear to be
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sent with a real intention of treating and terminating existing difficulties. I have no doubt but such was the intention when the last envoys were sent; but, from some unfortunate circumstances, the Directory did not believe it. 2dly, As a preliminary, it has declared, that in the negociation there shall be no question of loans of money, or apologies for offensive speeches pronounced by the Executive on either side. 3dly, All commissions given to privateers in the West-Indies are recalled; and when new commissions are given, the owners and commanders are to be restricted under bonds to the legal objects of capture. 4thly, An embargo that had been laid on American vessels within the Republic, in consequence of a report that a war had been begun on the part of the United States, was taken off as soon as it was ascertained that such war had not been begun; and a new declaration was at that time sent to America of the wishes of France to treat*.

These facts will doubtless come to your knowledge through other channels before you receive this Letter. But there are other facts which in my mind are equally clear; though to you they will be destitute of corroborating circumstances, and must rest on my own information and opinion: 1st, That this government contemplates a just indemnity for spoliations on the American com-

* Since writing this letter, I am at liberty to state that the new declaration, here referred to, was dispatched from Paris through an official channel about the end of September last. It should seem that it had not arrived at Philadelphia before the opening of Congress in December; as the Presidents speech alludes to a declaration made to Mr. Gerry in July, containing a sort of condition; but it takes no notice of this subsequent one, which was perfectly explicit and unconditional.

commerce, to be ascertained by commissioners in a manner similar to the one prescribed in our treaty with England. 2dly, That the legislation will soon be changed here with respect to neutrals, and all flags put on the footing of the Law of Nations. 3dly, That a public agent would have been named and sent to Philadelphia soon after Mr. Gerry's departure, were it not for the apprehension that he would not be received. There was a doubt whether the American government would not have already taken such measures of hostility, as to be unwilling to listen to terms of accommodation; and the Directory did not choose to risk the chance of seeing its offers refused. 4thly, That the Directory considers these declarations and transactions as a sufficient overture on its part; that it has retreated to an open ground which is quite unsuspecting; that a refusal on the part of the American government to meet on this ground will be followed by immediate war: and that it will be a war of the most terrible and vindictive kind.

This, Sir, is my view of the present state of facts. Should it make that impression on your mind, which I desire for the sake of humanity that it may, you will judge whether it does not comport with the independence of the United States, and the dignity of their government, to send another minister, to form new treaties with the French Republic. In a war there is clearly nothing to be *gained* by us, not even honour. Honour indeed may be *saved* by war, and so it may by negotiation. But the calamities inseparable from a war of this kind, and under present circumstances, would be incalculable. I do not say that the United States, or any portion of them, would be conquered; but they would sacrifice great numbers of their best citizens, burthen them-

themselves with four times their present debt, overturn the purest system of morals, and lose the fairest opportunity that ever a nation had of rising to greatness and happiness on the basis of liberty.

Were I writing to a young general, whose name was yet to be created, I might deem it vain to ask him to stifle in its birth a war on which he had founded his hopes of future honours. But you, Sir, having already earned and acquired all that can render a man great and happy, can surely have no object of ambition, but to render your country so. To engage your influence in favour of a new attempt at negotiation, before you draw your sword, I thought it only necessary to convince you that such attempt would be well received here, and probably attended with success. I can only assure you that such is my sincere opinion; and that my information is drawn from unsuspected sources.

I am not accustomed to interpose my advice in the administration of any country; and should not have done it now, did I not believe it my duty, as a citizen of my own, and a friend to all others. I see two great nations rushing on each other's bayonets, without any cause of contention, but a misunderstanding. I shudder at the prospect, and wish to throw myself between the vans, and suspend the onset, till a word of explanation can pass.

I hope my Letter will have cast some light on the subject. But whether it will or not, I know you will excuse the attempt; for you know my zeal is honest.

JOEL BARLOW.

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LETTER II.

*On certain political Measures proposed to their
Consideration.*

Paris, 20th December 1799.

FELLOW-CITIZENS,

IN my first Letter to you I signified an intention of addressing you a second time on political subjects; and of suggesting certain measures which appear to me to be within your power, for securing your own liberty both civil and commercial, and for laying the foundation of a pacific intercourse among all maritime nations, on a plan which may perpetuate itself and become universal. Some of my observations may appear superfluous, as being already familiar to the minds of thinking men; and some of my theories may be thought impracticable, because they are not familiar. Could I know beforehand what would really prove superfluous, and what impracticable, I would certainly retrench all that should come under both these descriptions; though it might go to the whole contents of my work. For my object is to aid the exertions of those who wish to do good; and not to embarrass them in the choice of means.

The art of governing a nation is the art of substituting a moral to a physical force. It is only in their rudest state, antecedent to government and previous to any experience, that men can be supposed to be impelled or restrained altogether by the

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action of other men, applied as bodily strength. *The right of the strongest*, among individuals, or in sections of the same society, supposes the absence of that controlling power which is held over them by the society at large; and which, being confided to the hands of the magistrate, constitutes the moral force with which the government usually acts.

As the absolute independence of one man upon another is incompatible with a state of society, personal strength becomes no longer necessary to personal protection; but, on the contrary, it is a general maxim, that individual safety is best secured where individual exertion is least resorted to. Our submitting to any force whatever, whether physical or moral, is the choice of self-interest; resulting in the first case from real defeat; and, in the last, either from calculation or from habit. The consciousness of public power gives rise to public opinion; and while experience teaches us to calculate their energy, it brings on the habit of respecting their authority. We thus refrain from mutual injury by an habitual sense of convenience, which resembles the instinct of self-preservation, and is almost as strong in us, as that sensitive horror which prevents our stepping off a precipice. Hence great societies may be moved, millions of persons protected, industry and virtue universally encouraged, idleness and violence completely restrained, without lifting the hand of one man upon another.

These reflections open to our view an immense career of improvement; and explain the theory of

of the whole progress of society, past, present, and to come. Great strides have been taken in this wonderful career; and a considerable elevation in the ascending scale of improvement is already attained. Whoever will compare the present state of the species with what it was when every thing was decided by bodily strength,—when man, after having forced a bit of food from the elements, or robbed it from the savage beast, was still obliged to dispute its possession with his fellow-man,—whoever looks back to that state of painful privation, precarious toil, and perpetual danger, which saddened the existence of unassociated men, and will then turn to himself, and contemplate what he now enjoys in his protected industry, in the comforts of life assured to himself and family, in the love and good-will of his neighbours, and even of distant nations, where virtue and talents are respected, must be convinced of a progress in human affairs, and of a tendency towards perfection. And he will not deny the truth of this general theory, though the period of a few years, taken in any one section of the great circle, may not present to his discernment any perceivable amelioration.

The perfectibility of human society is not a subject of idle speculation, fit only to adorn the pages of a book. It is a truth of the utmost importance in its practical tendency. No maxim is more essential to the legislator of a nation or to the negotiator of treaties; and it ought especially to be present in the minds of all men who are called to administer a representative government. If

such men have talents and information worthy of their place, and a proper zeal for performing its duties, they will not content themselves with the thoughtless routine of official functions, just necessary to escape impeachment; they will not think it enough to avoid crimes themselves, or to punish them in others; but they will call forth the energies of their own genius and that of their fellow-citizens, to interrogate the native resources of their country, the elements of national happiness; they will second the designs of nature by accelerating the progress of improvement, by exploring the objects of industry, multiplying the means of subsistence, creating new inducements for peace and harmony with neighbouring states, and removing every occasion for jealousy and war.

An enlightened magistrate will not be satisfied with himself, as having done his duty, unless he can say, on quitting the administration, that he leaves the nation better than he found it. Neither can he be said to have served his own country well, unless he has communicated benefits to other countries, to which her relations extend. There is no absolute independence of nations, any more than of individuals. Men are every where surrounded with wants, and every where encumbered with superfluities; the necessity of asking aid and the ability of granting it are mutual, perpetual, and universal; they keep up a constant exchange of commodities, a circulation of the vital fluid of society. Our mutual wants and aids are the elements of our civilization; they have already civilized individuals to a great degree,

degree, convinced them of their relative dependance, and taught them the art, as well as the convenience, of living together in peace. They have made some progress too in civilizing states; and their energy must be infallible in carrying on the work of harmony and happiness; till nations shall stand in the same relation to each other, as families do at present in the best regulated community.

The *civilization of states* is the great object to be aimed at in the present stage of the progress of human affairs. It is that part of general improvement which has been the least understood, and the least investigated, both as to the means of bringing it forward, and the consequences that would result from its success. So little has it been studied, so ill have the principles of society been applied to it, even in theoretical discussion, that its possibility is still regarded as a problem. Many persons imagine that states or nations never can be civilized more than they are at present; that among them the savage principle, or *the right of the strongest*, will always be resorted to. And, as it is evident that individual improvement, being constantly interrupted by the quarrels of nations, cannot be carried much farther, unless those nations will agree to live in peace, they say there is no reason to hope that human society will ever attain a greater degree of perfection than what we see at present. This would evidently be the case if nations were never to civilize; that is, if a sense of mutual dependance were not to produce the same effects in the great
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sections of society called states, as it does in the small sections called families. But why should we despair of these effects? The mutual dependance of men is universal, and it is perpetual; it is not only sure to serve as a permanent source of reciprocal confidence, but as an increasing source; it increases with our factitious wants; it becomes more sensible in proportion to our knowledge of distant countries and of their productions, in proportion to the acquisitions we make in science, to the accumulation of superfluities, and the infinite researches of industry.

A particular *people*, whatever extension we give to the meaning of the word, whether it means a parish or an empire, is every where a physical and moral agent, whose interests are analogous and reciprocal with those of another people of a like description, who inhabits a neighbouring territory. Each of them has a real interest in the prosperity of the other; because prosperity creates certain relative superfluities, which, being exchanged between the parties, supply their relative wants. This interchange of commodities creates an interchange of affections; it begins among individuals, and extends, in regular progression with their knowledge, to every country and every portion of mankind*.

Nature has certainly placed no barrier in this long course of improvement. Whatever bar-

* See Reflections on the Formation and Distribution of Wealth, by M. Turgot.

riers are perceived in it are unnatural and accidental; they will therefore be removed by the development of the human faculties, though by slow degrees. There is no reason why civilization, after having softened the temper of individuals, and harmonized the component parts of a state, as acting among themselves, should for ever stop short at that point, and leave the state a savage without, while it is social and peaceful within. For in this case it acts by its physical force abroad, and by its moral force at home; which supposes on the one side a want of experience which borders on the rudest condition of savage man; and on the other it indicates a sense of convenience and the habits of social life.

To make this matter a little plainer, and show that our hopes of progressive civilization are well founded, let us recur to first principles, and explain the causes which seem to impede its progress in certain stages of its career. What do we mean by the word *nation*? and what is that precise portion of mankind which necessarily forms a body politic, independent and unsocial, beneficent within and ferocious without? It is certain that the necessary limits of a nation are not geographical; neither are they numerical. In both these respects they are perpetually changing, and are already exceedingly various. One of them, the Chinese, is supposed to contain three hundred millions of inhabitants; another, the Dutch, which does not exceed three millions, is established in the four quarters of the world;

world; its different branches being separated by the widest oceans, and yet united in interest, friendly and social, like a family. The territory now covered by one federal republic, the United States, was lately inhabited by at least two hundred different nations at a time; all independent, sovereign and savage towards each other, as the nations of Europe are at this day. France itself, a few centuries ago, was composed of a great number of independent states; which have been united one after another, under the name of provinces, for the purposes of exterior defence, and the splendour of the crown; but never till the present revolution were they completely incorporated in one national body for the objects of interior commerce, or attached to each other by a similarity of political rights and pecuniary burdens.

It seems then that the tendency of civilization is to diminish the number of nations, and to increase their size and prosperity. But this kind of progression, as applied to independent nations, is limited by the nature of things. The few men, to whom the government of a state must be confided, cannot extend their knowledge nor multiply their attentions to such a degree as the affairs of a great people would require. France, in her present limits, presents a mass of population and territory sufficient for at least twenty integral and well-constituted states. Her legislative body is representative; it is twice as numerous as any legislative body ought to be; and yet it is not the fifth part so numerous as a proper

per representation of the people would require. It is incumbered with much more business than it can treat with that attention which the business deserves ; and yet not half the affairs which are necessary to the people are ever brought up for its deliberation. This republic, for the purposes of interior or local legislation and police, should be organized into about twenty subordinate republics ; while, for the purposes of general legislation, exterior relations, defence, commerce, canals, roads, and every common concern, they should remain concentrated in one great union, or community, with a national legislative and executive, restricted in their powers to the simple objects of great national interest ; which objects should be defined with the utmost precision in their general constitution *.

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* The terms *federal*, *confederacy*, and others from the same original, have been proscribed in France during the organization of the republic, because their *ordinary* meaning refers to a different state of things from what the condition of France admits ; and different from what would be their *appropriate* meaning in this country, were the system adopted which I should recommend ; and which appears to me the only one capable of preserving liberty here, and of civilizing Europe. To *federalize*, applied to states, usually signifies to bring towards a union, but not into unity, those that were before distinct and independent. But as France was already one integral state, to *federalize* France would seem to be to divide and dismember that which was before united ; which, in the vocabulary of the revolution, was another word for anarchy and intestine war. The federality which I would propose for France and for Europe would not carry with it any such idea. The integrity of

In pursuance of such a system there would be no danger that France would become too extensive or too populous for her internal convenience. And the several nations that are now forming republics in her neighbourhood ought to constitute them on the same plan as those of France, and make part of the general confederation. This system should be adopted and this confederation joined by every European people, as fast as they become free; though it should extend through this quarter of the world. It would present a great union of republics, which might assume the name of *the United States of*

of the republic, for every purpose of safety, and harmony of parts, would not be altered by it.

There has been a great deal of false reasoning on this subject. It is now believed by most of the philosophers in Europe to be a great misfortune to our United States that they were in several states, and not all in one state. This would truly be a misfortune, had we not adopted the federal principle; but now it is one of our greatest advantages.

I am sorry to see that M. de Liancourt, in his late Travels in America, has given countenance to this European sentiment, which I consider as a very unfortunate one for the progress of society. His book, which contains a vast quantity of facts and information, will have a tendency to accredit this doctrine in the minds of many persons who had not before adopted it. If that able and laborious inquirer after truth will reflect on the calamities which I shall notice in this Letter, as what would be the consequence of a dissolution of our federal system, and will contemplate the principle of that system in its vast extent, as a new means of civilizing states and preventing wars, I hope he will find occasion for changing his opinion.—See vol. vii. page 221 of his Travels, Paris edition.

Europe, and guarantee a perpetual harmony among its members.

This beneficent system of federalizing appears to be the only resource that nature has offered us, at least in the present state of political science, for avoiding at once the two dangerous extremes of having the republic too great for an equitable administration within, or too small for security without. On this principle, if wisely pursued, no confederated republic will be too great, and no member of it too small; as all subjects of jealousy will be done away by the nature of the association. The new republics of Europe must resort to this principle, if they mean to hold the ground they have gained, in changing their feudal for their representative constitutions. Could we flatter ourselves that they would resort to it at the end of the present war, then we might hope to see the moral force of nations take place of their physical force, the civilization of states keep pace with that of individuals, and their commercial relations established on the principles of peace.

Infinite credit is due to the conductors of our American revolution for the wisdom and energy with which they seized the occasion of establishing our interior and federal governments in the forms which they now possess. The two most consoling principles that political experience has yet brought to light, are those on which we have founded our constitutions—I mean *representative democracy*, and the *federalizing of states*. It is true that neither of these principles was wholly

of our own discovery. But what little experience had been made of either of them by other nations was extremely imperfect, was attended with little success, and had by no means united the opinions even of the most sanguine in their favour. In no instance had the two principles been brought together and wrought into one system; nor had they ever been attempted both by the same people.

Democracy had been disgraced by the pretended experience of some of the states of Greece, though, in reality, no such thing as democracy ever did exist either in Greece or Rome. It has been concluded, and very justly, that *pure democracy*, or the immediate autocracy of the people, is unfit for a great state; it might be added, that it is unfit for the smallest state imaginable, even a little town. But *representative democracy* is applicable to a state of any size, and under any circumstances where men have the use of their reason; though neither this nor any other principle hitherto discovered is sufficient *of itself* to regulate the concerns of a great people; as no one integral government is capable of bestowing equal and adequate benefits on every part of an extensive and populous country. But, happily for mankind, the representative principle is a fit companion and a sure guide of that other precious experiment which our country has adopted with such singular propriety, the principle of *confederation*. The union of these two theories, as organized in America, is a vast improvement on the wisdom of former ages; and
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I cannot but hope that they will be so far cherished by us, and imitated by others, as to change very greatly the face of human society.

It is essential to the interests of America, and would be a compliment to her wisdom, to see her political system, in both its parts, adopted by other countries. It would be the surest pledge of peace from abroad, and the strongest guarantee against a relapse of principle at home. But for ourselves, there is one maxim which ought not to be forgotten, that these two pillars of the edifice, the representative principle and the federal principle, should never be separated. Though one of them alone may promise liberty, and the other of them alone may promise peace, yet we cannot be confident that either liberty or peace will become extensive or permanent, unless these well-assorted principles are united in one system, and kept inseparable in their practice.

Let us convince ourselves of this truth by examining the effect of each principle apart, as operating without the aid of the other. *First*, the federalizing of states whose governments were monarchical or aristocratical, has not obtained any brilliant success either in ancient or modern times. The Amphictyonic Council of the Greeks was a body of so little consequence in a political view, that it would not be worth noticing in this place, were it not for a certain practice among writers on government of seeking models for every thing in the annals of that pompous people. The Amphictyons had no regular constituted authority, except in matters of religion,

religion. They never prevented a foreign war either offensive or defensive. It would be difficult indeed to say they never prevented a domestic war among the states, because such a thing might be done with so little rumour as to escape the notice of history ; but it is certain that they *excited* several domestic wars, and those of the most cruel and exterminating kind, being wars of religion. On the whole, it appears that this congressional institution, notwithstanding its solemn pretensions of confederating the states of Greece, was more detrimental than beneficial to the people. Whenever their common country was invaded, whether by Persians, Macedonians, or Romans, about half the states in every instance joined the invading enemy. The power of the Amphictyons was effectual only in directing, on certain occasions, the united vengeance of several powerful states against a weaker one, for having slighted the authority of the priests, for having put into cultivation certain lands which religion had devoted to sterility, or neglected some frivolous or barbarous duty enjoined by an insidious oracle.

As to the Corinthian, the Peloponnesian, and the Achaian leagues, they were only alliances or coalitions against an enemy, temporary in their nature, and not extensive in their effects. The other examples from Greece, which are sometimes cited as confederations, such as the Arcadian, the Beotian, the Elian, and the primitive Achaian, present something more regular and permanent in their constitutions. But they
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were each of them too diminutive to merit the name of an association of states. The primitive Achaian, for instance, was the union of twelve small boroughs into one small republic. It may be considered rather as a model of representative democracy in a single state, than as a federal system ; and in this view, perhaps, it approaches nearer to modern republican representation, than any other example left us by the ancients.

The subsequent, or great Achaian league, was indeed an association of states, whose object was laudable and well defined. It suffered less from a defect in its federal principle, than from the corruption of its members. It retrieved, in a partial degree, the liberties of Greece from the rapacity of Alexander's successors, preserved them with considerable energy for more than a hundred years, and finally yielded them with some appearance of dignity to the irresistible fortunes of Rome.

The Lycian league was not unlike the latter Achaian, either in its object or its destiny. It caused itself to be respected by the Romans as long as the Romans retained any respect for themselves ; but no institution could stand before the corruptions of their monstrous and debilitated empire.

The Etruscans, and some other early tribes in Italy, had likewise their several confederations. But their constitutions are so little known, and they refer to a state of society so different from ours, that for every purpose, except for displaying an empty erudition, their investigation would
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be as useless to us as that of some of the native tribes of North America, the six nations of the Tlascallans. Examples of these imperfect associations are not rare. It is probable that the history of the human race would present them in every corner of the earth, if its affecting and monotonous page could be completely laid open before us. They show the feeble efforts of inexperienced societies to defend themselves against the effects of each others inexperience.

The German Empire, the Swiss Cantons, and the United Netherlands, present us three great examples of the confederation of states in modern Europe; the former still subsisting, the two latter but lately overturned. It requires but little observation to discern the constitutional defects in the Germanic body: it is a confederation of princes, and not of nations. With this radical vice in its organization, it is impossible that its object should be peace, or its policy justice; and without pursuing these, no society of men can be tolerably happy, no union of states can be sincere, no portion of the earth can greatly increase its population, or present that progressive augmentation of benefits which nature has placed within our reach, and science is teaching us how to realize. National happiness is never the object of a state, where the interest of those who govern is in any measure different from that of the people. The pursuits, therefore, of the Germanic princes are mutual encroachment, instead of mutual assistance; the object of their union is war, and not peace; their constitution

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is military, and not commercial. Hence all the compulsory provisions that are made in it have reference to warlike preparations, contingences of men and money for recruiting armies and discouraging industry. There is no public provision made for the encouragement of useful arts and manufactures; no power lodged in the federal diet for establishing a general system of canal or river navigation, for equalizing the duties on the objects of commerce, allowing a free exchange of the produce of labour, even in the most necessary articles of life.

There is no inhibition which prevents any prince or state from beginning a war without the consent of the diet, from building forts, and raising armies, with the manifest intention to invade each others territory, from entering into foreign alliances and other treaties, for involving the empire in destructive wars. But, on the contrary, every facility and every temptation are held out for intestine wars among the states, as if no federal tie subsisted between them; while their interior commerce from state to state is shackled with all those restrictions which hostile jealousy has invented among the most independent and ferocious monarchies of Europe.

Many other defects might be easily pointed out in the Germanic constitution. We may find some of them in the books that treat on this subject; but where is the advantage of searching them? The fundamental defect, which is the source of all the rest, is not noticed in any book, but stares us in the face on the first reflection: a

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confederation of princes stands no chance of being beneficial to the people. You might as well expect to render service to the sheep by confederating the wolves that should be set to watch them.

The Swiss Cantons, and the United Netherlands, have been more fortunate in their federal systems. Considering the feebleness of the means with which they began, the quantity of force against which they rose, and the weight of effort that has been frequently made to destroy them, they exhibit wonderful monuments of the efficacy of organized liberty in political bodies. Though the Swiss Cantons had scarcely the appearance of a federal constitution, their acts of union being little more than treaties of alliance, which external danger generally kept them from violating; and though that of the United Netherlands was very imperfect; yet these were not the radical defects which brought on the decline and overthrow of either of their celebrated systems. The original defect, in each case, lay in the constitutions of the particular states of which the union was composed. The representative principle was originally unknown, and never understood in either country. Without this principle the people cannot exercise their rights, unless it be in the form of mobs; the necessary consequence of which is to throw the active power into the hands of a few, where it soon becomes habitual and hereditary, no longer the property of the nation, and no longer exercised for her benefit. It would be as impracticable to establish a rational system of federal government

vernment among aristocratical states, as among principalities or monarchies: for the principle is the same in each; the supposed interest of a few masters, not the real interest of the people.

The plan for a perpetual peace, projected two centuries ago by Henry IV. new-modelled and proposed with great zeal in the early part of the present century by the Abbé de St. Pierre, and afterwards embellished with the nervous eloquence of J. J. Rousseau, must have been a fruitless experiment, if attempted on the model of either of its illustrious patrons. The project was to league all the Christian powers of Europe in one confederation, guaranteeing to each its own form of government and its limits as then existing; to establish a permanent diet, composed of delegates from every state, with power to settle all disputes that might arise between the several states; to prevent any of them from raising armies on their own account, building forts or fleets to act against each other, or forming any foreign alliances; but all exterior relations, and all measures of defence, should be directed and managed by the general diet, in the name of the confederacy.

It is possible that by the means which Henry had in his power, this sublime conception might have been realized so far as to organize the constitution, and begin the operation, had not an untimely death prevented the experiment, by depriving the world of its author. Rousseau has detailed the reasons why this project could not be carried into effect at any period since the days

of Henry, nor by any influence short of that which he possessed among the powers of Europe. But the same writer supposes, that, were it once adopted, its benefits would be so conspicuous and universal as to secure its continuance. I question the probability of this supposition. What could secure the members of this diet from corruption? There is but one effectual mode of securing them; and that is, to make it the interest of none of the parties to corrupt them: no other principle can be relied upon with safety. In an association of this magnitude, it is not enough that it should be the interest of each of the associated states to preserve the constitution; but it should be the interest of those who govern the associated states. Now as long as these were governed by hereditary princes, who had an interest in extending their private dominions to the detriment of each other, it must be expected that they would seek to encroach as much as possible, and violate the constitution by every means in their power. And as the federal government, if well administered, would prevent their doing it by force, the more effectual way would be to corrupt the members of the diet, so as to paralyse the operation of the constitution, suspend its protection of the weaker associates, and re-establish the *right of the strongest*, as in the present state of Europe. This is a favourite state of society for princes; a state of hazard, inviting them to plunder, and so far exposing them to be plundered in their turn, as to afford a constant pretext for armies and navies. It is what they call
independence;

independence ; and notwithstanding it leads them every day to commit crimes for which they would hang a hundred subjects, they will not agree to be restrained by law ; though the same law would restrain their neighbours who prey upon themselves ; though it would greatly increase their revenues by increasing the population and the quantity of productive labour within their dominions ; and though it would greatly lessen their expenses, by reducing to almost nothing their constant preparations for defence.

But if the powers of government in every associated state were in the hands of the people, in whom the right resides, and if these powers were exercised in all cases by an equal representation, freely chosen and frequently renewed, then would there be no person interested in extending the limits of any one state to the detriment of another ; then would no person attempt to corrupt the diet to violate the compact, and throw Europe back into a state of national animosity and princely plunder ; then the farmer would be on his own farm and the artisan in his own shop ; and whether his habitation were included in the limits of Prussia or of Austria, whether it were called Protestant or Catholic, would not be to him a matter of interest ; he would find equal protection in each district, by laws made and obeyed by his own delegates.

A confederation of states whose interior governments should be founded on these principles might indeed extend through Europe with the project of Henry IV. and be as lasting as was
imagined

imagined by the fervid benevolence of St. Pierre ; but it would not be a confederation of hereditary proprietors of nations.

Hence we may conclude, so far as the experience of mankind will enable us to judge from practice, and, so far as the nature of the case will strengthen our conclusions, from theory, that no considerable advantage ought to be expected from the federal principle among states, unless the states themselves are constituted on the representative principle ; so as that the system in both its branches may be the work of the people, carried on for their benefit, by persons of their own choice and under their own control.

Second : In the other branch of the present examination, to discover the effect of the representative principle, without the aid of federalizing, we shall receive but little light from the experience of any nation. There is no example, within my knowledge, of a complete representative government of an elder date than those of our own country ; and those were effectually federalized as soon as they were formed, or before. It is true that the governments of Connecticut and Rhode Island were as perfectly representative before the American revolution as they are now ; and some other of their sister colonies had been at some periods nearly so. But their common tie with the monarchy of Great Britain answered some of the purposes of a federal union. They were not independent ; and no state on earth, in my opinion, ought to be called independent. For as no state can really be

be so in fact, it is only a source of false ideas, and of endless calamities, to have them so in form.

France, and the other new republics in Europe, cannot be said as yet to have had much experience of the representative principle. Their practical governments are hitherto revolutionary; and must of necessity continue so till the end of the revolutionary war which has been excited to destroy them.

There being, therefore, no example of real representative government, except in the American States, and these being united by strong federal ties, we are driven to theoretical inquiry alone for the opinion we ought to form of the operation of the republican principle among individual and unconfederated states.

We should begin by observing that such states must necessarily be small, for the reasons already noticed; otherwise the representative energy cannot be well preserved, nor the benefits of equal government be experienced by every portion of the people. If the states are small, their territories contiguous, and their governments independent, they will necessarily be rivals; there will probably be mutual restrictions on their trade, for the sake of revenue; there will be forts and armies and generals; it will not be long before some citizens in each state will conceive themselves to have a private property in their respective governments, and an interest in extending the dominion of their own state, to the detriment of the others: they will have sycophants to flatter this fatal ambition, places and patronage

tronage at their disposal, and a number of new departments and their appendages to be created at the moment of a rupture with their neighbours.

The first cannon fired between two rival states in this situation may be taken as the signal of the departure of liberty from them both. The power in each state becomes military ; military power is necessarily concentrated in a few hands, where it soon becomes hereditary. The rest of the history of such states might as well be written before they exist, as after they are extinguished. But it would not be worth writing at all ; it would be but the repetition of some indifferent chapter in the great history of despotism and war.

Since then, my fellow-citizens, it is to you that we must turn for the best practical lessons on the subject of government, in both the principles on which your system is founded, you will at least acknowledge the importance of maintaining those principles. And I hope at the same time that you will not be averse to making such improvements in your situation as the nature of your system will admit, without changing its theory. Your objects are ; 1. To secure the continuance of interior liberty, in the United States : and, 2. To take such an attitude in vindicating your commercial liberty, as to gain the confidence of other powers, and lay the foundation of perpetual peace, at least between you and them, possibly between all commercial nations. These two objects are so essential to your own prosperity, and at the same time so accordant with that desire which is natural to uncorrupted minds,

minds, of extending benefits to other sections of the human race, that you will indulge me in a few observations upon each.

I. *The Means of securing interior Liberty in the United States.*

I will not go into an examination of the state constitutions, nor propose to your consideration those amendments of which some of them appear susceptible, because it is at all times a delicate subject ; and to give it a candid discussion requires a moment of less fermentation than the present. It is not a work of immediate necessity, though some parts of it should not be neglected till your population is very greatly increased, and till certain habits founded on constitutional defects become too inveterate to be easily removed. But there are other objects of a more general concern, which may be noticed with less danger of giving offence, and which doubtless demand an early attention.

The face of things in North America is changing so exceedingly fast, that every political step you take ought to have a special reference to the time to come, as well as to the time present. No government should have so little to do with temporizing, and so much to do with system, as that of the United States. The science of political perspective ought to be rendered familiar to those who aspire to be your guides ; so that the great events which are sure to happen may be classed and measured, and their places
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assigned them, before they come into being. Without this precaution it would be impossible to go right; with it, the task of governing would be so easy, that honest men would scarcely go wrong. The approaching changes in our situation should be distinctly noticed, and their consequences profoundly meditated. 1. Our nation is young in respect to the date of its independence, the habits of thinking incident to this condition, and the trial we have had of our political institutions. 2. One half of the territory within our limits remains unoccupied; on the other half the population is small, compared with what it is capable of becoming; and the increase must be rapid. 3. Extensive and flourishing colonies are springing up beyond our frontiers in every direction: these are of various extraction, principally Spanish, French, and English; all of them, from the impulse given them by their mother-countries, are doubtless unfriendly to us; but all of them, from real interest, similarity of circumstances, and future inevitable events, are capable of becoming our natural and best friends, and, with proper management, our fellow-citizens. Not many years can pass before these colonies will shake off their foreign dependance, and burst the ties which now bind them to European governments.

These are some of the principal circumstances to be consulted in supporting the interior of our system. The events are easy to foresee; they must be provided for; and it depends on you, from this moment, to say whether they shall
redound

redound to our advantage, and to the extensive benefit of ages and nations ; or whether they shall bring destruction to our hopes, and overturn the fairest fabric of human policy that the world has hitherto seen.

I will waste no arguments in proving, that it is essential to the interest of the United States to continue their federal union, whatever may be the increase of population, and the addition of new states within our present limits. Taking this to be a position which will not be denied by those for whom I write, I will content myself with noticing the means by which alone the union can be preserved.

First: The United States, to maintain their federal system entire, through all their limits, and under approaching circumstances, *must be out of debt*, or nearly so. The annual call for money, for federal purposes, must be moderate ; otherwise the people in different districts, who see with what simplicity and economy their own state governments are carried on, and who know that much the greater part of their real interests are regulated there, will begin to calculate, and inquire whether their part of the expenses of the confederation does not exceed its benefits. Such inquiries, indeed, would be of a nature not to be pursued with the utmost fairness ; nor could we expect calculations of this sort to be conducted with all that foresight which the subject would require. There is no doubt but prudence would dictate to any district of the Union to submit to very great expenses, rather than with-

draw from it, and become a rival nation. But experience teaches us, that in political resentments we are not to expect much prudence or true policy.

To keep the frontier districts attached to the union, we must rely more on their passions and their sense of present convenience, than on their prudence and their calculation of future convenience. We should not forget that the United States are to be held together by interest, not by force ; and the federal government should conduct its operations in such a manner, as that this interest shall always be felt by every state, and act upon the inhabitants, as a steady principle of union ; since there is no other on which we can depend.

In the old governments of Europe, the people of different districts are held together under one head, by the co-operation of several causes which do not exist with us. A military force, or a standing army, acts as a constant pressure on them, both by the terror it excites, and the great number of places it offers to the nobility and the ambitious of every class. To this is added a superstitious veneration for a reigning family, who never fail to be painted to their subjects as the centre of every virtue, and the particular favourites of Heaven ; so that withdrawing from their government is considered as rebellion against God. Then comes the enginery of a state religion, which is kept in continual play by a host of artful men, who teach that every thing beyond their own dominion is heretic and reprobate.

bate. And farther to discourage every wish for a change, the people are so hemmed in by nations as miserable as themselves, that they perceive that great taxes and other vexations are not to be avoided by shifting their allegiance, and looking to the right instead of the left, for the centre of their government.

We shall deceive ourselves exceedingly, if we suppose that any of these causes are to operate in the western and southern districts of the United States. Our system of policy does not admit of standing armies; and if it did, we could not support one sufficiently strong to restrain a whole people who have arms in their hands, who should think themselves oppressed, and determine to be free. No superstition that is likely to be lasting or extensive, is yet established among us in favour of any one man or family; for, notwithstanding the pains that are taken to deify some of our citizens, and to propagate an opinion that they can do no wrong, these efforts are ridiculed by the mass of people whom they were intended to deceive. As to religion, the sects are so numerous in America, and the people are so convinced, that whatever concern they may have in it must be personal and not political, that the general government cannot hope to establish a uniformity of worship, and therefore can never make of it a powerful engine of state. And with regard to the last article above mentioned, that of being surrounded by nations habituated to oppression, this is totally wanting in our country. If, therefore, the
federal

federal government becomes oppressive, to the people of the frontier states, or only appears to be so, there is no other example of oppression in their neighbourhood with which to compare it, and their reasoning in this case will be very short: " Nothing binds us to this boasted Union ; it is at least an inconvenience to us ; let us shake it off, and be our own Union ; or, if we are not strong enough for that, let us form another with the Spanish or English colony in our neighbourhood, where every encouragement is held out to us ; where, having no national debt, we shall have no taxes but for the current expenses of a government, which, being of our own formation, shall be kept within the bounds of economy."

These good people will not, perhaps, reflect on the immense inconveniences which would afterwards arise both to them and us, from our new condition of two or more rival nations, bordering on each other, having each an extensive line of forts and garrisons, and standing armies and frequent wars to maintain ; which would inevitably plunge us all into the gulf of monarchy, nobility, and priesthood ; from which we never could arise, or regain the ground we should have lost.

Should this Letter reach the inhabitants of the frontier states and districts of our common country, I beg, on the one hand, that they will not be offended at the apprehension I express, that a disposition may one day arise in them to dissolve their union with their sister states, and that they
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will pardon my fears if no such event is likely to occur. But, on the other hand, if these apprehensions are well founded, I entreat them to listen for a moment to the voice of the most disinterested friend that will probably ever discuss the subject.

Let them look at the condition of Europe, and contemplate its history through the bloody series of modern ages. It is divided into rival states, that call themselves *independent*; which is another word for the ferocity of savage life, and a licence for organized violence. These states are separated from each other by triple or quadruple ranges of fortified towns, whose inhabitants, from age to age subjected to military law, are shut up at night like cattle, and pursue their labours by day under the shade of the bayonet, within the view of an insolent soldiery, whose ranks are supplied by draining the country of its best young men, and whose pay and provisions are drawn from the hard industry of those who remain behind.

The commerce of these independent nations is so harassed with duties and imposts in passing through different dominions, that very little of it can be carried on. A barrel of sugar, brought into the middle of Germany, must have paid at least six or eight different taxes. And when the consumer has any produce of his own labour to send abroad, it is loaded with as many more burdens before it can arrive at market.

Such is their condition in their best times, the times of peace; but in the years of war, which
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are about half the years of every generation of these unhappy men, immense armies are set in motion; whole countries are overspread and exhausted by the marches of successive hordes of friends and enemies, confederates and allies; whose undistinguished voracity excites equal terror among the inhabitants. Sieges, battles, hospitals, prisons, pestilence, and famine, sweep off half the population of each country, and force their princes, at last, to a temporary cessation of butchery, which they call peace. Perhaps the halves of some provinces are severed from one dominion and annexed to another, and this they call conquest. This occasions a new line of frontier, and new ranges of fortifications to be run through an interior country, cutting up the cultivated fields, and forcing the owners (who cannot fly from the devastation) to work at the new trenches and ramparts, to prepare this transfiguration of nature, and be ready for another war.

This picture is not overcharged; and if it should be thought inapplicable to the present subject, because modern Europe is governed by hereditary princes, and the projected independent governments of America expect to be republics, let us look back for another example to the states of ancient Greece. Those states were most of them called republics, and were independent of each other; and among the five or six hundred years of their political existence, from the commencement of history till they became a Roman province, I believe there was not a single year when

when they can be said to have been completely at peace among themselves. No; the evil is not altogether in the nature of the interior government; though this in itself, when bad, is a great source of calamities; a still greater source, if possible, is in the independence and rivalry of neighbouring governments. What a long and uninterrupted series of wars between England and Scotland was arrested by the union of the two crowns, and afterwards of the two kingdoms! And how much more extensive and more lamentable would have been the scenes of slaughter among the American States, had we left them independent of each other, after effecting their independence from Great Britain!

Since, then, we have found the means of avoiding these disasters — since we have established a union of interests and of states, which may bid defiance to every possible enemy but ourselves, shall we not have the wisdom to preserve this union? Shall we, on the one side, indulge in the prodigality of increasing our debt, and in a proud indifference to the opinions of an irritable and powerful portion of the nation; and on the other side, will that portion run wild with an untimely resentment, and not consent to a small and temporary sacrifice, rather than plunge themselves and their brethren, with all their intermingled posterity, into calamities without measure and without end; — calamities which are inseparable from a disjunction of the states, and the frightful experiment of independent and rival governments,

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vernments, whose tempers will have been already imbittered by the act of separation?

It is doubtless to be lamented that the debt of the United States has risen to such a formidable size; and that there still seems to be a disposition to increase it from pretences so frivolous as to be clearly seen through by those whom they were intended to blind and mislead. It is impossible that the smallest portion of the American people has been made to believe that there was any conceivable danger of an invasion from France; and the resentment occasioned by the creation of that part of the debt which has been raised on this pretence must therefore be sharpened by the impudent attempt to impose on their understanding.

That great and wanton augmentation of the federal debt in the year 1790 which arose from the assumption of those of the individual states, was founded on a very singular argument: it was said that this measure would have a tendency to cement the federal union. Why was it not foreseen that precisely the contrary must be the effect? While the state remained the debtor and its own citizens the creditor, neither of them could find relief by withdrawing from the Union; the citizens in fact were all debtors, and as many of them as chose to be were creditors. But now they would both find relief by withdrawing; for by that act all the citizens of such a state would cease to be debtors, while the creditors would remain the same. These would have only to sell their stock and receive payment; and then that
state

state would have nothing more to do with the burdens of the late war, nor with the subsequent accumulation of the national debt. If there can be an argument proper to engage a state or district to withdraw from the Union, this is certainly one.

Perhaps I mistake the present temper of the American people; but it appears to me that the greatest risk we run of a dismemberment of the empire, arises from the magnitude of the debt. There are many other reasons why its progress ought to be arrested where it is, and the capital diminished as fast as possible; but the greatest of all reasons is the preservation of the federal system, on which our liberty and happiness most essentially depend. This argument I apprehend has not been sufficiently attended to.

Besides the magnitude of our debt, the manner of funding it has had a pernicious influence on the policy of our government with foreign powers. The payment of the interest was made to depend in a great measure on the duties to be levied on imported merchandise, which were by law appropriated for fifteen years to this object. This made every stock-holder a partisan of our commercial connexions with that country whose commerce with us was supposed principally to secure this revenue; however injurious those connexions might become to the general interest of the United States. It is greatly owing to this unfortunate measure that our commerce has suffered so much during the present war from English and French depredations. For no one will

deny that the latter were occasioned by our tame submission to the former.

Second: As the government belongs to the people, and not the people to the government, it is proper that the latter should be as accommodating as possible with regard to the place of its residence. The existing law, by which the Congress has pledged itself to remove to the Federal City at a certain time, ought to suffer no delay in its execution, after that time arrives. If that law had carried the Federal City eighty or a hundred miles farther up the Potowmac, it would have been still more central, and doubtless would have had a greater effect in preserving the Union entire.

The article is trifling in itself; but every thing in this world goes by appearance. It would have been a mark of attention, a complaisance, an accommodation to our western brethren, that would have been worth millions in fixing their affections. It is doubtless too late to think of changing the resolution already taken by the legislature; but it would doubtless be impolitic to admit of a new delay, as many persons apprehend, in carrying it into effect.

Third: The opening of roads, and the improvement of water communication between the central and the frontier states should be an object of constant solicitude, not only to the state legislatures and to Congress, as far as may be in their power, but to patriotic individuals and companies, wherever they can reconcile private interest with so great a public benefit.

A facility

A facility of intercourse for the objects of commerce, travelling, and the transportation of letters, would have a powerful effect in assimilating our manners, and inspiring that confidence and friendship so necessary to the political union of men who feel themselves able at all times to change their connexions at pleasure.

A system of small canals, as projected by one of our most estimable citizens, on a plan so extensive, as to take place generally of public roads in the most frequented routes, may one day be presented to the consideration of the federal government. This is not the moment to enter into a development of the project, either in its political or its fiscal operation. I will only observe, that in both these views it would greatly serve to harmonize the interests of the states, and to strengthen their present union.

Fourth: A universal attention to the education of youth, and a republican direction given to the elementary articles of public instruction, are among the most essential means of preserving liberty in any country where it is once enjoyed; especially in the United States. The representative system must necessarily degenerate, and become an instrument of tyranny, rather than of liberty, where there is an extraordinary disparity of information between the generality of the citizens and those who aspire to be their chiefs. And as to the federal ties between the different states, how shall they be maintained but by extending the views and enlightening the minds of those whose votes are frequently to be consulted,
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and whose actions are always irresistible by their numbers, and the direction which they take?

Ignorance is every where such an infallible instrument of despotism, that there can be no hope of continuing even our present *forms* of government, either federal or provincial, much less that spirit of equal liberty and justice on which they were founded, but by diffusing universally among the people that portion of instruction which is sufficient to teach them their duties and their rights.

We must not content ourselves with saying, that education is an individual interest and a family concern; and that every parent, from a desire to promote the welfare of his children, will procure them the necessary instruction, as far as may be in his power, which will be enough for their station. These assertions are not true; parents are sometimes too ignorant, and often too inattentive or avaricious, to be trusted with the sole direction of their children; unless stimulated by some other motive than a natural sense of duty to them. Neither is it merely a family concern; it is a civil, and even a political concern. The legislator and the magistrate neglect an essential part of their duty, if they do not provide the means and carry them into effect, for giving instruction to every member of the state.

This may be done with very little expense, and with much less trouble than is generally imagined. The subject appears to me to be too much neglected in the United States in general,

ral, considering that the preservation of liberty depends in a great measure upon it.

Fifth: What shall we say of those gigantic colonies that are forming on our frontiers, to the westward of the Mississippi and to the northward of the lakes? These are germs of empire which offer an immense field of meditation to the American politician. How soon, and by what combination of events, are they to become independent states? When that day arrives, are they to be our rivals, and consequently our enemies, after the example of the states of Europe? Or can the way be prepared, and they be persuaded to adopt our principles, to form with us a great union of political interests, and make of the whole but one confederated empire? These questions hurry the mind into an awful train of thought, which it is difficult to methodize and delicate to communicate. Yet no branch of the inquiry is useless; since it contemplates an event the most important that can probably affect our constitution; and one which a prudent conduct on our part may modify in a very considerable degree. I do not mean that it will be our duty to interfere in their present concerns, or to take any part in any dispute that may happen between them and their parent governments, with a view to hasten or retard the moment of their separation. But it is essential that we should so conduct our own affairs, as to set them such an example of rational liberty and public happiness, as they cannot fail to admire, and must therefore wish to partake.

Our frontier states, which border on theirs, must necessarily entertain an intimate and extensive intercourse with them. Reciprocal migrations and intermarriages will be numerous between them; their commerce will be active; their manners, language, and modes of education will be the same on both sides. The probability is, that if we do not induce them to join themselves to us, they will induce some of our extensive districts to quit us and join with them.

But if at that day the United States should be clear of debt, and should exhibit the singular phenomenon of a wise, impartial, and energetic government, reserving so much power to individual states as shall enable the people to regulate the great mass of their most interesting concerns at home, where they are best understood, and yet continuing a sufficient force in the federal head to ensure at all times the means of giving protection and obtaining respect,—there can be no insuperable objection, and there may be a powerful inducement, for those new nations to form their state governments after the model of ours, and to join our confederation.

I am aware of the inconvenience that might arise from the magnitude of this projected empire; as the colonies in question are spreading over a surface at least equal to that of the present United States. The objection is weighty; but my answer is at hand: by encountering this inconvenience, which is new, and therefore formidable in appearance, we avoid those that are infinitely more serious; though, from being familiar

liar and thought unavoidable, they are less attended to. There is no political inconvenience so great as the neighbourhood of independent and rival nations. Their commercial restrictions, their military preparations, their fortified frontiers, their interfering jurisdictions, their whimsical and undefinable points of honour, give so many occasions of dispute in the minds of passionate or ambitious men, that such nations, if not always at war, must be always in such a warlike posture, as to present a perpetual image of the savage state, degrade the morals and devour the substance of the people.

Besides, I apprehend that if we well consider the nature of a federal government we shall have less reason to dread the extension of its limits. The objects of its legislation are few, according to our present system; and I have no doubt but this might still be simplified, without risk of lessening its energy. If its simplification should be found practicable, this circumstance may add to the inducements that our neighbours may one day have to join us in confederation, and may diminish on our side the inconvenience which many will apprehend from the first view of the case.

Though the Achaian and the Lycian confederacies were the most perfect that history has transmitted to us, we ought to recollect that the former was overturned by refusing to admit the state of Sparta as a member; and the destruction of the latter was brought on by its excluding sixty cities which desired to join it.

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The interest we shall have in inducing new nations to join our Union, instead of being our rivals, is a strong argument, in addition to many others, for preserving at least as much power to our individual states as they now possess, and for not suffering any encroachment from the federal government. It is convenient, as well as inviting, for every section of a free people to regulate as many of their own affairs at home, as is consistent with the interest of the whole. And when their federalizing with us depends on their own choice, they will be more likely to do it if the requisite sacrifice of power should be small, than if it should be great.

I hope none will infer from the observations in this article, that I am an advocate for *conquest*, in any case whatever; and still less that I would extend the limits of a dominion by colonies and foreign possessions. Nothing is more destructive to liberty, both at home and abroad, than this sort of policy. There is no doubt (all other circumstances being equal) but small dominions are preferable to large ones. It is only to avoid the greater evils of the independence and rivalry of states, that I would consent to an extension of limits. And this would be scarcely tolerable, but on the federal plan; which I regard as one of the most useful and most consoling experiments to be found in the history of government. There is no knowing yet to what extent it may be carried.

Sixth: The more I reflect on the nature of political liberty, the more I am convinced that a
military

military establishment of any magnitude is extremely incompatible with it. The most effectual way of preventing this, as well as the surest mode of providing for the defence of the country, is by a universal attention to arming and disciplining the militia. When every citizen is a soldier, every soldier will be a citizen. Military exercise, to a certain degree, should be considered as a part of education; and, though a subordinate part, it should not be neglected.

But it is happy for us that a military life, as an exclusive object, is not yet become a profession in the United States. There are very few evils of a political kind that would be more subversive of their liberty. Ambition, which has been so destructive to national happiness, could scarcely be taken in a bad sense, but for its usual association with military fame. And if excellence in warlike achievements, in themselves considered, without regard to the cause, should once become an object of pursuit with the young men of America, it would soon be found impossible to keep us out of unnecessary wars, and all the miseries and degradations of character that they entrain. The epidemic would seize, as usual, the richest and most influential families; the rage would become fashionable; it would be made an object of real profit, as well as of supposed honour. And how many votes, in the freest governments in Europe, have been given for war, from no other motive than that of placing sons, brothers, cousins, or the voters themselves?

War has hitherto been considered in America, I believe by every class of people, as a calamity to be avoided in all possible cases by all rational means. It probably may be avoided, as long as we are out of the neighbourhood of independent nations; and as long as the ambition of our leading men shall be directed to the true interests of society.

II. *The Means of vindicating our commercial Liberty.*

I noticed to you in my former Letter that the American commerce, so far from requiring the protection of a navy, was of a nature capable of protecting itself and us against the aggressions of all those powers with which it is principally carried on. This idea requires some development, which I will endeavour to give it in this place; and I do not despair of establishing the principle so clearly, that it may serve as the basis of a system which you will mature in your cooler moments, and carry into practice on all future occasions. When present passions shall have subsided, and an interval of peace shall be restored to Europe, there will be a proper occasion for you to come to a definition and declaration of the rights of neutral commerce; and at the same time to declare the manner in which you will defend those rights.

With regard to what are the rights of neutral commerce, and what in my opinion ought to be so declared and maintained by you, I cannot express

press my ideas with more precision than I have done in a Memoir and the project of a Declaration written at the desire of one of the members of the French government a few days ago, at the moment when they were framing their new constitution. Our intention then was to cause such a declaration to be prefixed to the constitution. But that work was to be hurried through with so much precipitancy, that its authors concluded to adjourn to a future day, as a subject of consideration to the Legislative Body, the declaratory act first proposed to be consecrated in a more solemn form. I will subjoin a copy of the Memoir and proposed Declaration, as an Appendix to this Letter; only observing that, by what I can discover of the prevailing disposition of this government, the principles therein contained are gaining ground, and will probably one day be enacted*.

Although it would have been desirable that France or some other first-rate power in Europe, should take the lead in establishing doctrines which tend to so great a change in the maritime law of nations, yet the position of the American government is such, that it is not necessitated to wait the decision of any foreign power, before pronouncing its own. For of all subjects touching the law of nations, it is that on which it is the most easy to discern what is right; and of all governments in the world, that of the United States is the best able to carry into effect

* It would facilitate the intelligence of what follows, to read the Appendix before proceeding with the Letter.

its own decisions on that subject. You have only to mark out the ground which is just; and that ground is tenable by you. Referring then to the Appendix for what I have to observe on the nature of the rights to be defended, I will close this Letter by suggesting the most eligible means by which you may defend them.

Had the French republic adopted the projected Declaration, I intended, in consequence of the invitation held out in the seventh article, to put into some channel of consideration a proposition to the following effect :

“ There shall be a treaty, called *the Maritime Convention*, formed by and between as many powers as may choose to be parties to it in the first instance; and it shall be afterwards acceded to indefinitely by such other powers as may at any time think proper to subscribe to its conditions.

“ The object of this Convention is: 1. To define and declare the rights of neutral commerce; which shall be done in the instrument itself: 2. A general and mutual guarantee of those rights among the parties by the operation of commerce alone; without resorting to an armed force by land or sea, in any case provided for in this Convention. But if such resort should hereafter be found necessary, it may be authorized and regulated by a subsequent treaty, which shall be regarded as supplementary to this, and predicated on the practical insufficiency of the penalties herein prescribed. These I presume, however, for the reasons I am going to explain,
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will always be found sufficient ; and in such case it would doubtless be more detrimental than beneficial to provide for any armament at all.

“ To effectuate this mutual guarantee among the parties, there shall be established a *Chancery* of the Maritime Convention, composed of one delegate from each contracting power, to assemble at some convenient place not within the limits of any of the great maritime nations ; but if possible in one of the Hanseatic towns. The Chancery shall be always in session in time of war ; that is to say, when one or more of the contracting parties, or any other maritime power of Europe, shall be at war. When no such war exists, the Chancery shall name, out of its own body, a Committee of Vacation ; which shall remain permanent during the time of peace. The nomination of the Committee of Vacation shall be notified to the several contracting parties ; its powers shall be the same in peace as those of the whole Chancery in war ; and it shall have moreover the power of convoking the other members on extraordinary occasions.

“ If the rights of neutral commerce, as declared by this Convention, shall be violated, in the property of any one of the contracting parties, or in that of their citizens or subjects, by the order or by the citizens or subjects of any other of the contracting parties, or by those of any other power not a party to this Convention, complaint thereof shall be made within a reasonable time by the power offended, both to the Chancery of the Maritime Convention, and to the offending power,

power, accompanied always with such proofs as the nature of the case will reasonably admit. The Chancery shall decide on the first view of the case, and without citing either party, whether the complaint is well founded or not; and, if well founded, it shall immediately decree the sum of damages in money which it shall find to be just, and shall notify the same to the offending power.

“ If within three months after notification made to the offending power, it being in Europe, or in six months, it being in America, the full sum decreed in damages is not paid into the hands of the Chancery, then the offending power shall be declared by the Chancery to be under *the Ban of Commerce*, until full payment shall be made, not only of the sum already decreed in favour of the complainant, but of the other sums forfeited to the other contracting parties by this neglect, and payable as compensations, as explained below.

“ The effect of the Ban of Commerce declared by the Chancery shall be, that every power, being a party to the Maritime Convention, shall withdraw all commercial intercourse from the bandicted power, its citizens and subjects, until the Ban shall be removed by the declaration of the Chancery; which removal of the Ban shall be made immediately on payment being received of the several sums before mentioned.

“ By withdrawing all commercial intercourse, in the sense of this Convention, is understood prohibiting the vessels of the bandicted power,
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and those of its citizens or subjects, or any goods, wares, or merchandise of the produce or manufacture of their country or dominions, to enter the ports or country of the party withdrawing such intercourse; and likewise prohibiting its own citizens or subjects from frequenting the ports or places of the bandicted power, refusing to clear any vessel, whether national or foreign, for any such port or place, and laying them under bonds not to frequent them during any voyage for which a clearance may be granted. But the obligation to withdraw commercial intercourse shall not necessarily extend to recalling ambassadors, other public agents, or consuls.

“ In cases where payment is compelled by resorting to the Ban of Commerce, the offending power shall be held to pay to the Chancery for each contracting party which shall have concurred in executing the Ban (as a compensation for damages done their commerce in executing the same) a sum equal to the sum decreed in favour of the offended power. A new decree to this effect shall go forth with the declaration of the Ban of Commerce; and the same Ban shall be continued till these several sums, together with the one first decreed, shall be acquitted.

“ But although, for the sake of expediting the operations of the mutual guarantee contemplated in this Convention, it is ordered that the Chancery shall pronounce immediately on the *ex parte* hearing of the first complaint, and shall suffer no delay in executing its decree; yet it is provided that the sum paid on such decree for

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the complainant, if paid without resorting to the Ban of Commerce, shall remain in the hands of the Chancery for six months, to wait a reclamation and a rehearing of the cause; which shall always be had by the party paying, if demanded, within six months after voluntary payment. And on this trial both parties shall be invited to appear: but in no case shall final judgment be delayed more than one year after such payment. From this final judgment of the Chancery there shall be no appeal; and the money shall be paid over without delay to the party having right. Sums paid for the other contracting parties as compensations for executing the Ban shall never remain in the Chancery, but shall be paid over to them without delay, and cannot be reclaimed.

“ When the Chancery on the final hearing shall reverse its first judgment, and restore the money to the reclaimant, it may likewise decree an additional sum in damages against the first complainant, as a fine imposed on him, if there be cause; that is to say, if his complaint shall finally appear to have been ill founded, and brought with a fraudulent design. The sum of damages so decreed shall in no case exceed the amount of the first decree; it shall be notified in the same manner, a like term shall be allowed for payment, and the same mode of compulsion, by declaring the Ban of Commerce, as before prescribed. On final payment to the Chancery, the sum shall be paid over without delay to the party having right. And in cases where payment of damages shall be compelled by

by resorting to the Ban of Commerce, an equal sum shall be paid to each of the powers executing the same, as in cases of first decrees. But there is no rehearing of a cause where payment on the first decree has been compelled by the Ban of Commerce.

“ The penalty and mode of compulsion here proposed, for a breach of the Maritime Convention, appear to me abundantly sufficient for the object, whether of prevention or atonement: 1. Because they are of a nature similar to the offence—a commercial deprivation for a commercial violence: 2. Because those maritime powers, which are most likely to commit these aggressions, are the most dependant on that extensive intercourse and exchange of commodities, of which the Ban of Commerce would be a sudden and almost insupportable suspension; indeed most of our nations have now become so commercial, that no greater evil could be inflicted on them by their neighbours than what is here contemplated, provided this Convention becomes as general as may be expected: 3. Because the great objection to the armed neutrality of the year 1780, and what would always prevent such a plan from being carried into effect on a scale sufficiently great to produce any permanent amelioration, was the unwieldiness of the compulsory measures necessary to command respect. To seek redress in all cases by arms, and to have its success depend on contingencies to be furnished in naval armaments by a number of independent powers, is a mode so expensive, so un-

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certain, and so unmanageable, that it never can be relied upon; and if it could, the remedy might be worse than the disease, as it might involve in war the powers which armed for the sake of peace.

“ A like objection would have arisen to the project of Henry IV. for pacifying Europe by land. The mode of compulsion would have been unmanageable, and probably dangerous to the nations it was meant to protect. The mode of compulsion in the plan of *unarmed neutrality* here projected is simple, analogous to the object, easy and unexpensive in its execution, and exceedingly pungent in its effect.

“ A sincere desire in the contracting parties to preserve the peace of Europe against all the other pretexts on which it is usually violated, may possibly induce them to extend the powers of the Chancery in question to all other branches of the rights of nations, as well as to those relating to commerce. In that case they will doubtless agree upon, and declare a new code of public law, or law of nations, complete in all its parts, and commit the conservation of it to this body of delegates.

“ I shall not pursue this branch of the subject at present, because it would require immense details. In an operation so new it will be best to begin with that part whose simplicity and daily utility shall recommend it to the most prejudiced observers. And if once the Maritime Convention can be organized, its principle may be extended as it shall be found practicable. I will
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not, however, lose this occasion of making one remark; that the commercial mode of compulsion herein suggested would probably be the most proper for all cases to which this Chancery, or any other arbiters of nations, might apply their powers. In such high and delicate concerns, much will depend on the mode of compulsion, as well as on the nature of the penalty. They should both be moderate; and, if possible, let them be commercial, and not military. The commercial will go by weight and measure, and may always be kept within the intended bounds; the military will run wild, and excite passions of false glory, incompatible with the object we have in view."

Such is the basis of a project which might have been offered to the consideration of the maritime powers, had the way been opened by some public manifestation of a desire to discover the best mode of preventing national disputes. I introduce it here in the form of an imperfect sketch; as this is not the channel, and as there exists at present no good occasion, to offer it in the form of a finished project.

But though these crude conceptions may be of some utility in exciting future attention to a theory of so much importance, yet this is not the principal reason for my inserting them in this Letter. I design them as introductory to what I have to say on the practical system which the United States may adopt for themselves without any farther delay. Your situation does not require you, on this subject, to stop short at theories, or to wait till you
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can persuade other powers to join you in reducing them to practice. But, on the contrary, by commencing the system for yourselves alone, you will convince them of its good effects, and leave them to join you at their leisure. It is probable indeed, that, contrary to most other experiments, it would operate with more precision on a large scale than on a small one; yet the trial which you alone would be able to give it would doubtless be successful. If so, the example would spread; and your efforts might finally point out to Europe the great desideratum of good men, the means of establishing a perpetual peace. You would prove beyond contradiction, that an unarmed neutrality is better than an armed one.

Your commerce, both active and passive, is uncommonly interesting to the principal maritime nations of Europe, as a great source of nourishment to their manufactures and their agriculture; and it likewise affords a considerable source of revenue to their governments. There is not one of those nations, to whom a sudden suspension of its intercourse with you would not be a very serious evil. We must acknowledge at the same time that it would be an evil to you; but if your system is well combined, the event will probably never occur. It is only contemplated as an extreme case, a measure of resort; and, if ever put in practice, it will be to avoid a much greater evil, that of war, or that of unresented oppression.

The state of your agriculture and population is such, compared with the extent of your territory, that the rate of interest will necessarily continue
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to be higher in the United States than in Europe for a great number of years ; and consequently our citizens will continue to be indebted to those of the manufacturing nations in very large sums : probably not less than twenty or thirty millions of dollars will be the average of the general balance. To bring the whole subject into one view, and at the same time to save repetition, I am obliged to refer to what I noticed in my former Letter on this head, and on that of our European stockholders, or the public creditors of the United States.

These several circumstances offer the materials, out of which your system of defence may be easily formed. Every part of the operation appears to be completely in your power, and must continue to be so ; for these advantages cannot fail you at least for half a century to come.

Your object is to remain at peace with all mankind, and to maintain a perfect neutrality whenever the powers of Europe are at war. You ought therefore to publish a solemn declaration of this intention, and likewise a clear definition and declaration of the rights of neutrality which you mean to enjoy. In the same declaratory act should be contained an explanation of the means by which you will seek relief and compensation for every violation of those rights, from every foreign power, whether in time of war or peace.

Your mode of compelling compensation might vary according to circumstances, there being several productive sources within your power, from which it may be drawn. You have the sequestration

tration of private debts due from our citizens to the subjects of the offending power ; you have the sequestration of such portions of your public debt as may be due to the subjects of such power ; and, in cases where these could not be found in sums sufficient to compensate the injury sustained (which is a thing scarcely possible), you have the suspension of all commercial intercourse with such power, till compensation shall be made : which compensation, when you resort to this last mode of compulsion, should be augmented in proportion to the probable inconveniences that would result to yourselves from carrying it into effect.

I say it is scarcely possible that this last mode need ever be resorted to, not that we are at present indebted either publicly or privately to the subjects of every maritime power in sufficient sums to furnish the government with a certain resource ; but I say it because we are sufficiently indebted to those among them who would be most likely to violate our rights, and because the return of peace and the customary run of confidence will soon obtain us sufficient credits with the others. The difference in the rate of interest will always warrant such a calculation ; and we know that such was uniformly the fact before the present unprecedented war. Besides, it ought to be observed that most of the maritime powers are strongly interested in extending and maintaining the rights of neutral commerce ; and would wish to aid our pacific mode of defence, rather

rather than defeat its object by violating its principle.

It would not become me to go into the details necessary for the organization of the plan. My object is only to invite your attention to the measure, by showing that there is a foundation on which it may be established. But, *what are the real and defensible rights of neutral commerce; what shall be the manner of proving and notifying their violation to the offending power; what the rule of estimating damages according to the different modes of compelling compensation; what the constitution of the tribunal to be charged with receiving complaints, deciding on the first inquiry, and rehearing the cause in case of disputed facts; and what shall be the penalty against a citizen for preferring a fraudulent complaint;* are questions which can only arise after the basis of the institution shall be found agreeable to your ideas of policy and justice.

I am not inattentive to certain objections which may be made against some parts of the system; neither am I confident of being able entirely to remove them. Those that should be raised against the principle of sequestering debts are so fully answered in my former Letter, that I have nothing new to add in this. But it will be said that a sudden suspension of our commercial intercourse with any one of the great maritime powers would create such a shock in the affairs of our merchants, and in the receipts of duties destined to the public treasury, as greatly to
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affect our interest. To this it must be replied,
 1. That, generally speaking, in proportion to the amount of our commerce with any foreign power, is the amount of our debts to the subjects of that power; and there is nearly the same proportion between the debts we owe its subjects and its ordinary and well known disposition to infringe the rights of neutrals, and tyrannize at sea. The minor powers, to whom we owe little, have also little of our commerce, and are, at the same time, little disposed to tyrannize at sea; because it is not their custom, being against their interest. These facts render it almost impossible that the case, against which the objection is raised, will ever happen with a great commercial nation, where the shock of suspension would be greatly felt by us. They also render it very improbable with a minor nation; and if it should happen there, the shock would be but small. But if we consider, that to any of these powers, whether great or small, the shock of a sudden suspension of our trade would be more sensible than it would to us, and that they must always foresee this effect, from the moment of the declaration of our mode of defence, we shall be still more convinced that the event will never happen.

2. Though the evil attending this extreme case, if it should occur, would be considerable, it must not be forgotten that a much greater one is avoided by it, the evil of being humbled under every species of maritime insult, and of becoming
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ing the football of rival powers who strive which shall kick us the hardest ; or else that other evil (whether greater or less than this) of a war, in which there is no calculating the calamities to a young republic, in fiscal derangements, commercial distresses, or loss of domestic liberty.

During the present state of hostility in which Europe is involved, iniquitous and piratical as it is, there is no doubt, had we been prepared with a system of neutrality and defence like what is here proposed, but it would have carried us through without an insult, or none that would not have been atoned without delay. Neglecting this precaution, how many millions have we suffered in property ! what humiliation in character ! And who can tell, after seven years plunder, whether we are not to be dragged into the war at last, or which side we are most likely to take ?

My great anxiety to serve the cause of liberty, and accelerate the progress of civilization, has alone induced me to address you these Letters. I can have little hope, however, that my arguments will produce any immediate effect in exciting your attention to theories so abstracted from the great passions of the day. But principles remain, when the books that first contained them are forgotten ; and I have so much confidence in those I here advance, as to believe that they will descend to some future friend of humanity, who will find a more fortunate moment for their reception, and place them before

the world in a clearer point of light. The prospect of thus contributing to a distant good has made me write with pleasure ; and it ought to engage you to read with patience.

JOEL BARLOW.

APPENDIX.

MEMOIR ON CERTAIN PRINCIPLES OF PUBLIC MARITIME LAW.

WRITTEN FOR THE FRENCH GOVERNMENT.

Paris, Dec. 5, 1799.

THE several constitutions which the French nation has hitherto given herself, have been prefaced by a declaration of the Rights of Man. It might not be improper that the present one should carry with it a declaration of the *Rights of Nations*; I mean, some of those great principles which would tend to the preservation of tranquillity in Europe, and which would favour a state of peace rather than a state of war.

A proper understanding of the Rights of Man is doubtless leading to great ameliorations in his civil state, and will throw much light on the science of interior legislation, of which you may hope to profit as soon as you shall have passed the vicissitudes of the revolution. A proper understanding of the
Rights

Rights of Nations will, perhaps, enable you to avoid as many errors, and as great evils in your exterior concerns ; and it ought likewise to be regarded as one of the great objects of the same revolution.

It is probable that your new constitution will hasten the epoch of a general peace ; this peace will have been so dearly bought, that you must wish to render it as permanent as possible ; and you will, doubtless, be willing to adopt the means most proper to attain the end. You ought, at this moment, to ask yourselves, what are the most usual causes of war in the present state of Europe ? and how are these causes to be avoided in future ?

Is there not something vicious in the present organization of the great society of nations relative to each other, especially in what is called the Maritime Law of Nations, as now understood in Europe ? Many articles in this maritime code are evidently calculated to favour a state of war, and to throw advantages into the hands of belligerent powers to the prejudice of neutrals. This, of itself, is one inducement to war ; and if it can be proved that some of these articles might be amended, it is hoped that no time will be lost in adopting such amendments.

1. The whole system of privateering, and letters of marque and reprisal, ought to be for ever abolished. It is easy to demonstrate the evils that arise from this system, both in its general principle, as it affects the state of society in Europe, and as it applies to the interest of the French nation in particular. It is one inducement for vicious individuals in all maritime countries to wish for a state of war. Men of broken fortunes in the sea-ports, such captains of vessels, and other sailors, whose irregular conduct prevents their obtaining employment in regular business and peaceable times,—secretaries of ministers
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and chiefs of departments, who expect large gratifications for the commissions they obtain,—and other classes of men too various and too vile to be specified in this place, all promise themselves great profits from a loose piratical warfare; and never fail to do all in their power to bring on hostilities, by irritating the parties at home and abroad.

When their system of sea robbery is once licensed by a declaration of war, all bounds of morality and every tie of civil society are broken with these classes of men. All means are lawful by which they can seize the property of others, whether friends or foes, neutrals, allies, or fellow-citizens. Every species of plunder, homicide, fraud, and cruelty, that human ingenuity can invent, are practised without disguise; as they are sure to go unpunished by their own or any other government.

Vast quantities of property belonging to neutrals, being unjustly taken and destroyed, are clearly lost to all parties, and must be paid for by the government that allows such devastations; unless it avoids the payment by provoking such neutrals to take part in the war, and thus extend its ravages beyond the original intention of the parties.

But this is not all. This terrible sacrifice of morals gains other classes of society. The regular merchant leaves his accustomed business, and launches into the most extravagant speculations, founded on the cruelties and murders of an occupation which he has not the courage to exercise himself; but he renders himself equally guilty by hiring others to do it for him. The contagion of unusual cupidity extends to every sort of people in the commercial towns. Sea robbery becomes the fashion of the country; manufactures are deserted for a more seducing prospect of gain; and all the sea coast of every country at war presents

presents the afflicting prospect of society relapsing into a state of barbarity and piracy, worse than the savage state from which our arts and sciences have drawn us.

Such are the general effects of privateering, as observed in all European nations. But France has a peculiar interest in prohibiting this vile and degrading warfare. It never fails to deprive her of her seamen, and to cripple her national marine in a greater degree than it does her rivals the English. The reason of this is obvious : France is an agricultural nation, rather than a commercial one ; her commerce is so little, in proportion to her military navy, that it is with great difficulty she can man her national ships in case of need. She is obliged, therefore, to take landsmen to supply the deficiency ; and she endeavours to balance the want of skill by an augmentation of numbers. For this reason the equipage of a French ship is vastly more numerous than that of an English one ; they fight to less advantage, and lose many more prisoners. This is peculiarly the case with your privateers. Hence it is that your privateers in the present war have done little more than people the English prisons with the best of your seamen. Indeed, the maritime part of the present war offers a variety of the most terrible examples of the fatal consequences of the system of privateering, in every light in which the subject can be placed.

Therefore, as there can be no possible benefit arising from the system, either in this or any future war ; as your whole naval force can always be displayed to the best advantage in national ships, and under the sole guidance of the supreme executive power ; as you will thus take away one of the inducements which bad men have to provoke hostilities, and bring on a war ; as you will thus avoid doing injustice to neutrals

trials abroad, restrain the violence of wicked men at home, and shut up a school of immorality which threatens destruction to the whole system of human society, it is to be hoped that privateering will be hereafter for ever prohibited in France.

2. Another branch of the maritime law of Europe, which ought to undergo a serious consideration at this time, is that which regards the rights of neutrality; especially in some contested points which are susceptible of a clear definition and a solemn declaration. The question, whether the flag of a friend shall protect the cargo of an enemy, has been agitated in Europe for a century and a half, without being finally settled at this day. The practice of the Romans was in favour of the negative; and that was sufficient, for a long time after the revival of commerce, to settle the practice in the early part of modern times. But the inconvenience of this was found to be so great to neutrals, without procuring any solid advantage to belligerents, that the contrary practice began to be recommended about the middle of the last century. It was found to be so much more convenient for all parties to allow the flag to protect the property, that the number of treaties in which the modern practice is adopted is almost as numerous, within the period above mentioned, as of those in which the ancient usage is maintained. The following is the list of treaties in which it is stipulated that the flag shall protect the cargo, in all cases except in contraband of war:

	Holland	-	-	-	in	1646
	Hans-Towns	-	-	-	-	1655
	England	-	-	-	-	1655
	Spain	-	-	-	-	1659
	Holland	-	-	-	-	1662
	Idem	-	-	-	-	1678
Between France and	Idem	-	-	-	-	1697
	Idem	-	-	-	-	1713
	Idem	-	-	-	-	1739
	Denmark	-	-	-	-	1662
	Idem	-	-	-	-	1742
	Sweden	-	-	-	-	1672
	England	-	-	-	-	1677
	Idem	-	-	-	-	1713
	Portugal	-	-	-	-	1654
	Sweden	-	-	-	-	1656
Between England and	Spain	-	-	-	-	1667
	Idem	-	-	-	-	1670
	Idem	-	-	-	-	1713
	Holland	-	-	-	-	1668
	Idem	-	-	-	-	1674
	Portugal	-	-	-	-	1661
Between Holland and	Sweden	-	-	-	-	1667
	Idem	-	-	-	-	1675
	Idem	-	-	-	-	1679
	Naples	-	-	-	-	1752
Between Spain and	Austria	-	-	-	-	1725
	Denmark	-	-	-	-	1742
Between Denmark and	Genoa	-	-	-	-	1756
	Naples	-	-	-	-	1749

Between

Between Russia and (Armed Neutrality.)	{	Holland	-	-	-	} in 1780
		Prussia	-	-	-	
		Sweden	-	-	-	
		Denmark	-	-	-	
		Naples	-	-	-	

Between the United States and	{	France	-	-	-	-	1778
		Holland	-	-	-	-	1780
		Prussia	-	-	-	-	1785
		Sweden	-	-	-	-	1785

To this list may be added all the treaties that have been made by the powers of Europe with the Ottoman Empire, and with the several States of Barbary, as well as those between America and the States of Barbary; it being an invariable principle among those Mahometan powers to respect the flag of a friend, and all the property it covers*.

It will be remarked that England has been the principal opposer of this modern law, since the accession of the house of Hanover. During the last century and in the beginning of the present, her name

* This is not the only point in which the States of Barbary have adopted principles of public law more rational, and approaching nearer to civilization, than those of Europe.

They admit no such thing as CONTRABAND OF WAR; but allow a neutral vessel to carry any article, at any time and to any place, without examination.

They make no maritime war without a public declaration; and do not allow hostilities to commence till a certain number of days after the war is declared—thirty days when the party is bordering on the Mediterranean; a longer term, if at a greater distance. The number of days is fixed in the declaration.

All the vessels, subjects, and property of the party, then within their jurisdiction, or that arrive during this interval, are sent away with passports; and not suffered to be molested in their homeward voyage, though met at sea after hostilities are begun.

Some of these principles may be sometimes violated by a passionate prince; but they are acknowledged as law, and are generally observed with the most scrupulous honesty.

is found in many treaties which recognise the new principle; and it is probably owing to her opposition to the general wishes of Europe during this century, that this advantage in favour of neutral commerce is not universally adopted at this day. I find no instance since the year 1713 in which she has acknowledged it; and she has made such a considerable figure in naval wars and the tyranny of the seas since that period, as to cause other nations to vary in their policy continually; sometimes forgetting their true interest and yielding to her ambition in supporting the Roman practice, and sometimes recurring to the more rational system, which they ought never to abandon.

But it is time that this question was settled irrevocably: and France at the moment of her regeneration is in a condition, if not to dictate the principle as immediately binding on other nations, at least to adopt it for herself as an inviolable maxim, and recommend it by her great example. A sense of interest will induce all other nations to recognise it immediately, except the English. And if the English should continue to oppose a measure so just, so convenient and so interesting to every maritime power, it will attach those powers on all future occasions to the interest of France as their common benefactor, and oppose them to England as their common oppressor.

No nation can be more interested in the adoption of this measure than the French. Your resources in agriculture and manufactures are immense. The encouragement of your industry and the increase of your wealth depend on a free exchange. As long as you have such an insatiable rival as the English government in its present form, you can hardly expect to avoid naval wars, however sincere may be your wishes to avoid them. Your object then is to establish such liberal principles with respect to neutral commerce, that
your

your agricultural and manufacturing interests may suffer as little as possible from a naval war which may obstruct your own navigation.

England has such a prodigious mercantile marine, that she has little use for neutrals as carriers of her commerce. But if you allow neutrals to be her carriers, it would tend to weaken her marine; as it would lessen the number of seamen in her service. English seamen would get into neutral employ for the sake of higher wages, which neutrals could then afford to give; and such seamen would rarely return to their country. Whereas allowing neutrals to carry for the French would nourish their agriculture and manufactures, the great resources of the nation.

It seems therefore necessary that France should not only recognise the principle in all her future treaties, that the flag shall protect the cargo, but that such should be declared by the people at the head of the constitution, in order that all nations may see that a future legislative or executive cannot deviate from it.

3. There is another case in the rights of neutrality which deserves to be examined; in which I shall endeavour to establish a doctrine that will appear new, but I hope it will likewise appear just. It is this, *that there ought to be no contraband of war*. If, for fiscal or other purposes, a government chooses to prohibit the importation or exportation of certain articles, these may be contraband with respect to its own nation. But this is private contraband, and has nothing to do with public maritime law. *Contraband of war* supposes an abridgment of neutral right in favour of belligerent force; which is immoral and absurd. No principle is more clear in itself, or laid down with more precision by Wolff and his followers, on the Law of Nations, than this: *that a nation, remaining neuter while her neighbours are at war, retains all the rights*
which

which she possessed before the war began. If this be true, there is nothing more contradictory than to say that certain articles which were lawful for that nation to carry to a certain country in time of peace, are not lawful in time of war. If the right existed before the war, it cannot be annihilated by any act of the belligerent powers; and for them to abridge the exercise of it is a violation of justice and an act of hostility towards the neutral nation, which affects not only her navigation and commerce, but likewise her manufactures and her agriculture. If the Russian has been in the habit of carrying cordage to the French in time of peace, and the American has been in the habit of carrying them tobacco; and afterwards the English begin a war with the French; then, according to the present rules of contraband, the English will say to the Russian, You shall no longer carry them your cordage; while they will say to the American, You may continue to carry them your tobacco. But why shall the Russian cultivator of hemp be deprived of the fruits of his labour and the rights of his neutrality, any more than the American cultivator of tobacco? The reason given by the publicists for this distinction is by no means satisfactory. They allege the plea of necessity, which they say one belligerent power is under, to distress its enemy by depriving him of the articles used in war. This argument of necessity is misapplied, and may be answered by a stronger necessity on the other side. There is a more legitimate necessity that the inhabitants of a neutral country should live, and to this end be protected in their industry, than there is that one nation at war should destroy another. If there is, among all the elements of society, one principle more sacred than others, it is this, that more protection is due to the honest pursuits of industry which tend to multiply the supports of human

man life, than to the violent operations of war which tend to its destruction.

It ought then to be recognised as a principle of public maritime law, that no neutral nation shall be interrupted in the course of its accustomed navigation and commerce on account of the nature of the articles it carries to market; or, in other words, there ought to be no such thing as contraband of war.

One objection however may be made to this doctrine, which it is incumbent on me to answer. It may be said that to allow a neutral to carry warlike stores to my enemy, I leave him not only the same advantages which he had before the war, but I allow him to increase those advantages; since my enemy has need of a greater quantity of those articles in war than in peace. To this it is replied, that the neutral has not to thank me for the benefit; since it is not with a view to his good that I undertake the war, but for my own interest or passions.

Under the most scrupulous attention to the rules of justice on my part, it is impossible but that neutrals must suffer in many respects from my war. If my enemy increases his demand for one article, he probably lessens it for another. And I believe there is no instance of a war in which neutrals have not suffered immense inconveniences. We see them always rejoicing at the return of peace almost as much as the belligerents.

There will doubtless be some articles in which the neutral will find a benefit from my being at war; but as there are necessarily others in which he finds a detriment, I have no right to abridge his enjoyment of the first, since I do not lessen his suffering in the last. And he has as good a right to supply the extraordinary market that may offer itself to the fruits of his labour
when

when such extraordinary market is occasioned by war, as if it were occasioned by famine.

There are some examples of incidental encouragement to the industry of neutrals, which are offered them by the temporary concession of a belligerent; such as taking off restrictions and prohibitions which have been customary in time of peace. The English in every war, and frequently in their intervals of peace, have suspended the rigours of their *Navigation Act*, for the sake of obtaining supplies of provisions, either at home or in their foreign possessions. The French and Spanish governments sometimes open the ports of their colonies to the ships and produce of other powers, and give an unusual latitude to some branch of commerce of which they stand in need. These occurrences create a higher market, and offer a temporary benefit to nations which are able to carry the supplies. And when they happen in time of war, they may throw a momentary advantage into the hands of neutrals. They must, therefore, be classed among the incidental rights of neutrality, of which no belligerent can with justice complain.

The English government, it is true, has denied this doctrine; and one of the members of that government, the Earl of Liverpool, has written a book to prove, that the commerce of neutrals cannot legally be extended, in time of war, either to any ports or places, or to any articles of merchandise, to which it was not accustomed to go in time of peace. But this position is so false in itself, and advanced with such an evident design to apologise for a part of a general system of tyranny over neutrals, which that government has been pursuing for a number of years, that no writer, I believe, has yet thought it worth refuting: it is of kin to that other novel maxim of
British

British invention, that whole kingdoms may be blockaded by a proclamation.

But when the benefits of trade are extended in this manner, pretended to be unlawful, which party is it that does the wrong—the belligerent that offers, or the neutral that accepts, the extension?

No English writer, I presume, will deny, that the belligerent power has a right to open its own ports to any unusual branch of commerce; since his own government does it very often, no less than three times during the present war. It must be then, according to Lord Liverpool, that the neutral is in fault; and that he has no right to go to the best market that is open. What is the consequence? Should the neutral refuse to go to the best market, and that best market was England, he would certainly be taxed, and very justly, with partiality to her enemy. When so much of the British Navigation Act is suspended (this is the case at the moment I write), as to allow a Swedish vessel, for example, to carry American flour to England, suppose such a vessel should be loaded in Philadelphia for London, and the custom-house should refuse her a clearance for that place, where the market was high and a famine was apprehended, but should clear her for France, where there was great abundance and a low price, and should lay the vessel under bonds not to go into England (which would be the duty of the custom-house, if it was a crime to go there), would not this be called an act of partiality, an act of such enmity to England, as would amount to a breach of neutrality? But all this would follow from the principle laid down by Lord Liverpool.

The English themselves, however, have never acted on this principle in all its parts, nor ever will. It is thrown out to intimidate neutrals. But it is time

that the rule of justice was settled on this subject, as on many others. The rule ought to be this : that nations which remain neuter, and observe an impartial conduct while their neighbours are at war, retain all the rights which they possessed in time of peace, and all the additional and temporary advantages which the nature of the war itself may throw into their hands, or that may be conceded by any of the belligerent powers;—that is to say, complete and universal liberty should be left to neutrals to be the carriers of all sorts of goods, at all times and to all places, except only to places actually besieged or blockaded. And to determine what shall be understood by a place blockaded, the strictest sense of the phrases used by the Armed Neutrality in the year 1780 should be adopted : that is, when a place is so invested as that no vessel can pass into the port without imminent danger of being stopped by the investing force. But in no case can a whole coast be said to be blockaded by a fleet cruising in such manner as occasionally to stop a neutral vessel : a blockade in its nature being only applicable, if not to a single port alone, at most to such ports whose passage is absolutely impeded by the habitual disposition of the ships. And even in this case a neutral vessel ought not to be confiscated till she have been once stopped and sent away, and shall attempt to enter a second time.

To recognise these great principles in such a manner that they may serve as a guide to future legislators in the French Republic, be adopted by other nations, and become a part of the public maritime law through all the civilized world, I would preface the new constitution with a declaration to the following effect.

ARTICLE I. The French Republic will be and remain at peace with all people and at all times, so long
as

as peace can be maintained by the strictest observance, on her part, of justice and the rights of nations.

II. The rights of nations are, interior government and self-control; the faculty of continuing their actual forms of government, or changing them for others; the faculty of remaining neuter, and observing an impartial conduct towards neighbouring nations while they may be at war.

III. The rights of neutrality are, the faculty of making or not making a public declaration of neutrality (hostile intentions not being imputable but in consequence of an open act or declaration of hostility); the faculty of navigating all seas, trading to all places, carrying all articles without any exception of contraband of war, and for all persons without any distinction of belligerent or neutral; the faculty in general of enjoying all the advantages possessed in time of peace, with the addition of such other advantages as may arise from the nature of the war itself, and also such as may be granted and consented by one or more of the parties in the war; excepting only the case of a blockaded port or place.

IV. A port or place shall be deemed blockaded only when the investing force is actually and habitually so disposed and stationed as that a vessel cannot enter without imminent danger of being stopped. And even then confiscation of a neutral vessel or of her cargo shall not be made, till she shall have been once stopped and sent away, and shall return a second time.

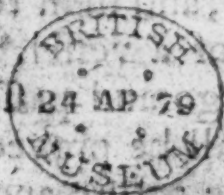
V. The neutrality of a vessel, such as shall enable her to protect her cargo and passengers, of whatever nature or country, shall be proved without unreasonable formalities. The nature and form of the documents required for this proof shall be only such as shall have been declared to be sufficient by the neutral
I power

power in her own laws, or stipulated by her in treaties with other nations.

VI. The French Republic, convinced of the inconveniences and immoralities which arise from the system of privateering, will no more grant commissions for cruising, or letters of marque and reprisal, to any private ship.

VII. Solicitous to avoid and remove every occasion of war, not only by a steady pursuit of justice towards every government and people, but also by adopting some rational system of explanation of real or supposed wrongs which she and other independent powers may impute to each other in their various intercourse, the French Republic invites them all to turn their attention to the discovery of some pacific mode of public arbitration: in which national grievances may be discussed, removed, atoned, compensated, and finally settled, without recurring to the right of the strongest, as in barbarous and uncivilized ages. And she declares solemnly to all mankind, with whom she desires to live in peace, that she will do all in her power to investigate the means and arrive at the establishment of such a beneficent institution.

THE END.



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